

Phase II (Small) MS4 Annual Report
Phase II (Small) MS4 Annual Report Form

TPDES General Permit Number TXR040000

A. General Information

Authorization Number: TXR040365

Reporting Year (year will be either 1, 2, 3, 4, or 5): 2

Annual Reporting Year Option Selected by MS4:

Calendar Year: X

Permit Year: _____

Fiscal Year: _____ Last day of fiscal year: (_____)

Reporting period beginning date: (month/date/year) 01/01/2020

Reporting period end date: (month/date/year) 12/31/2020

MS4 Operator Level: Level 2 Phase II Name of MS4: Ranch at Cypress Creek MUD 1

Contact Name: Suzanne McCalla Telephone Number: 512-495-6139

Mailing Address: 600 Congress Ave., Ste., 2100, Austin, Texas 78701

E-mail Address: smccalla@mcginnislaw.com

A copy of the annual report was submitted to the TCEQ Region: YES X NO _____

Region the annual report was submitted to: TCEQ Region 11

B. Status of Compliance with the MS4 GP and SWMP

1. Provide information on the status of complying with permit conditions:
(TXR040000 Part IV.B.2)

	Yes	No	Explain
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Permittee is currently in compliance with the SWMP as submitted to and approved by the TCEQ.	X		
Permittee is currently in compliance with recordkeeping and reporting requirements.	X		
Permittee meets the eligibility requirements of the permit (e.g., TMDL requirements, Edwards Aquifer limitations, compliance history, etc.).	X		
Permittee conducted an annual review of its SWMP in conjunction with preparation of the annual report	X		

2. Provide a general assessment of the appropriateness of the selected BMPs. You may use the table below to meet this requirement (**see Example 1 in instructions**):

MCM(s)	BMP	BMP is appropriate for reducing the discharge of pollutants in stormwater (Answer Yes or No and explain)
1	Conduct Stormwater Committee (" SC ") meetings in accordance with the identified schedule and request public participation	Yes. The SC met via conference call and addressed any stormwater concerns and issues that arose throughout the year via electronic mail or in discussion in regular Board meetings where stormwater management was included as a standing item on the agenda. The District reviewed the Year 2 outstanding items at the SC meetings. A notice was posted on the stormwater page of the District's website inviting residents of the District to participate and/or become members of the SC. Holding these meetings ensures that stormwater pollution prevention topics are discussed and followed up on in the District. A copy of the SC agendas (Exhibit "A") and minutes of the meetings (Exhibit "B") are attached.

1	Public Education and Outreach	Yes. The SC reviewed existing brochures to determine if additional subjects should be included. The SC conducted a presentation to all Board members and Consultants, including members of the public regarding the requirement of the stormwater program, including defining stormwater runoff and identifying pollutants. See Exhibit “C.” Educational brochures were offered to all persons in attendance. Providing educational presentations and brochures contributes to public education and outreach efforts to reduce stormwater pollution. The SC also implemented a direct mail out of stormwater educational material to the District’s residents.
1	Website	Yes. The SC reviewed the stormwater quality information included on the District’s website to determine if updates were needed. The approved SWMP and the annual report for Year 1 was posted on website, as required. The District’s stormwater page on the website was updated and lists opportunities for the public to participate in stormwater activities. Providing updates to stormwater information on the District’s website ensures that the public continues to be made aware of new methods to reduce stormwater pollution.
1	Outreach Program – Factsheet	Yes. A stormwater fact sheet has been prepared ensuring that members of the public always have access to updated stormwater pollution information. See Exhibit “D.”
1	Community Clean up	Yes, Hazardous waste collection events have been included on the District’s website. This ensures that residents have adequate information to allow for proper disposal of hazard wastes materials that may otherwise end up as stormwater pollution.
1	Stormwater Drain Labeling	Yes. All stormwater drain inlets were identified and inspected (and replaced or repaired as needed). Maintenance of the drain markers ensures that this public education tool is consistently utilized to prevent dumping of illicit materials into the stormwater system. Opportunities to participate were provided to members of the public. Reports on the progress of stormwater labels replacements were provided during regular District meetings. See Exhibit “E.”
1	Forming Partnerships	Yes. The District’s Engineer as well as members of the SC have reached out to the City of Cedar Park to work together on stormwater issues. A formal partnership is not in place at this time, but a working relationship has been established. The District also reached out to the Bark Rangers, who agreed that District residents may participate in their program. Bark Rangers promote the removal of pet waste that can adversely affect water supplies as well as advocates for the Leave No Trace Program.

2	Illicit Discharge Regulations/Order	The District has adopted Rules and Regulations. See Exhibit “F.”
2	Program to detect and eliminate illicit discharges	Yes. The District has implemented a system on the District’s website to publicize and facilitate public reporting of illicit discharges or water quality impacts associated with the District’s MS4 System. This ensures that any illicit discharges are able to be directly reported to the District, thus allowing the Board to quickly respond to any issues. The District has implemented a route inspection program by the SC. The SC plans to quarterly to inspect the District’s stormwater facilities and provide written reports for review and possible action (if necessary) by the Board. See Exhibit “G.”
2	Storm Sewer Map	Yes. The SC has reviewed and updated the map of the MS4 system to ensure compliance with the District’s SWMP and MS4 Permit. Keeping the map up-to-date and in compliance ensures that the District is able to comply with all aspects of its SWMP. See Exhibits “H” and “H.1.”
2	Outfall Screening	Yes. The District’s landscaping contractor visually inspects the outfalls within the District on each visit. See Exhibit “I.” The SC also inspects the outfalls and submits outfall screening reports, including location, dimension, presence of silt, soil or trash in and around the outfall as well as dry weather flow. 100% of the outfalls were screened during the year to ensure that pollutants were not introduced to the stormwater system. See Exhibits “G.” and “G.1.”
3	Construction Site Runoff Regulations Order	Rules and Regulations that include construction site rules and regulations were adopted by the Board. See Exhibit “F.”
3	Public Information	Yes. The SC reviewed the topics in its educational materials to determine if additional information was needed regarding construction projects within the District. This ensures that the public is kept up-to-date on what constitutes construction site stormwater runoff. See Exhibit “B.” The SC also considered the procedures by which to receive and consider information from the public. These procedures are included with the District’s Rules and Regulations. See Exhibit “F.”

3	Construction Site Runoff	Yes, The SC reviewed the requirements for contractors to ensure that they meet TCEQ TPDES Construction General Permit requirements. See Exhibit “B.”
4	Address post-construction runoff	Yes. The District adopted Rules and Regulations which address this issue. The procedures to document and maintain records of enforcement actions are included with the Rules and Regulations. See Exhibit “F.”
4	Evaluate current non-structural BMPs and current BMP inspection program	Yes. The SC reviewed the current non-structural BMPs and current BMP inspection program to determine if changes were needed. The SC physically inspected all the District’s stormwater facilities at least twice during the year. Reports of the inspections are prepared and maintained with the District’s records.
5	Structural Control Maintenance	Yes. The SC conducted inspections of pollution prevention measures and provided written reports of the inspections. See Exhibits “G” and “G.1”
5	Identify potential hazardous materials, including develop and maintain inventory of stormwater facilities	Yes. The SC has met and identified potential hazardous materials. No new stormwater facilities or controls have been added, and the existing facilities are performing appropriately. The SC has reviewed and updated its list of stormwater facilities. See Exhibit “F.”
5	Identify existing and implement new methods to reduce stormwater pollution. Evaluate existing and introduce new pollution controls	Yes. The SC met and discussed the District’s current stormwater pollution methods and controls. The SC determined that the current methods in place were working effectively and that no new controls needed to be implemented at this time. The SC agreed to continue to monitor this BMP and to update as necessary.
5	Utilize organic pesticides and herbicides to the fullest extent possible	Yes. The District’s prioritizes the use of organic, natural, and organic based fertilizers and pest control where reasonably applicable pursuant to its landscaping contract to minimize discharge of pesticides into the stormwater system. See Exhibit “I.”
5	Education and Training	Yes. The SC developed a training program describing how to reduce stormwater pollution. This training was conducted at a public, regularly, scheduled Board meeting. See Exhibit “C.”

3. Describe progress towards achieving the goal of reducing the discharge of pollutants to the MEP. If no progress was made or the BMP did not result in a

reduction in pollutants, provide an explanation. Use the table below to meet this requirement (**see Example 2 in instructions**):

MCM	BMP	Information Used	Quantity	Units	Does the BMP Demonstrate a Direct Reduction in Pollutants? (Answer Yes or No and explain)
1	Conduct SC meetings in accordance with the identified schedule and request public participation	Committee Meetings	2 (plus numerous outside communications by email and discussions and presentations at Board meetings)	Meetings Held	No. but holding meetings and continuing an ongoing dialogue about stormwater issues in the District through email correspondence and discussions and presentations at Board meetings ensures that any items of concern regarding pollution prevention can be readily addressed.
1	Public Education and Outreach	Brochures Stormwater Presentation Director mail out of stormwater educational materials to District residents	50 Brochures made available at Board meeting Stormwater PowerPoint Presentation provided District Fact Sheet	Brochures Presentation Fact sheet	No. However educating the public on how stormwater pollution, including its causes, effects, and ways persons contribute to stormwater pollution will help reduce stormwater pollution.

1	Website	Reviewed and updated stormwater information on website.	Reviewed monthly and updated as needed	Reviews	No. The District completely revamped its stormwater website page to make the information more “user friendly.” Providing this information helps to educate people about stormwater issues, thus reducing the likelihood that they will contribute to stormwater pollution. Updates on the website include the ability to directly report illicit discharges or any other stormwater system issues to members of the SC, thus allowing the District to address issues faster and more effectively.
1	Outreach Program	Factsheet	1	Factsheet	No. However, a stormwater fact sheet ensures that members of the public always have access to updated stormwater pollution information.
1	Community Clean up	Hazardous Waste Cleanup Events	Offered by the City of Cedar Park one time a year	Link to this event on the District's website	Yes, Hazardous waste collection events have been included on the District's website. This ensures that residents have adequate information to allow for proper disposal of hazard wastes materials that may otherwise end up as stormwater pollution.
1	Stormwater Drain Labeling	Annual Report	Two missing stormwater labels were replaced	Replaced stormwater labels	No. But replacing these labels ensures that a consistent message regarding pollution prevention continues to be conveyed to residents.

1	Forming Partnerships	The District's current SWMP	1	Forming Partnerships	No. But forming a working relationship with the City of Cedar Park allows the District and SC access to additional tools and best management practices used by other entities.
2	Adopt Rules and Regulations	Rules and Regulations	1	Order adopting Rules and Regulations	No. But the Order provides the Board the framework and authority to handle stormwater violations as they occur.
2	Program to detect and eliminate illicit discharges	Website Contact	N/A	Link to SC to directly report illicit discharges	No. The District has implemented a system on the District's website to publicize and facilitate public reporting of illicit discharges or water quality impacts associated with the District's MS4 System. This ensures that any illicit discharges are able to be directly reported to the District, thus allowing the Board to quickly respond to any issues.
2	Storm Sewer Map	Map showing the location of all the District's facilities	1	Map	No. However, keeping the map up-to-date and in compliance ensures that the District is able to comply with all aspects of its SWMP.
2	Training Program	Develop and conduct training program which describes the implementation of illicit discharge practices and procedures, regarding the observation of an illicit discharge or illicit connection to the MS4	1	Training Program	No. But a training program educates the general public on the nature of illicit discharges and their destructive potential. A direct reduction will occur if any illicit discharges are observed and reported. The timely reporting and mitigation of illicit discharges will reduce the overall impact of the illicit discharge to the stormwater system.

2	Outfall Screening	Annual Report	100%	Percentage of outfalls screened	Yes. The District's landscaping contractor visually inspects the outfalls within the District on each visit. See Exhibit "I." The SC also inspects the outfalls and submits outfall screening reports, including location, dimension, presence of silt, soil or trash in and around the outfall as well as dry weather flow. 100% of the outfalls were screened during the year to ensure that pollutants were not introduced to the stormwater system. See Exhibit "G."
3	Adopt Rules and Regulations regarding construction site runoff	Rules and Regulations	1	Order adopting Rules and Regulations	No. But the Order provides the Board the authority to regulate and enforce any violations, including construction site runoff violations.
3	Review and Assess topics in educational materials to determine if additional information is needed	Review brochures and information located on website to determine if construction information needed	All brochures and website items reviewed	Reviews	No. But continual oversight by the SC ensures that the public is kept up-to-date on what constitutes construction site stormwater runoff.
3	Construction Site Runoff	Review requirements for contractors	Requirements are reviewed during all SC meetings	Reviews	No. The SC reviewed the requirements for contractors to ensure that they meet TCEQ TPDES Construction General Permit requirements.

4	Adopt Rules and Regulations regarding post-construction runoff	Rules and Regulations	1	Order adopting Rules and Regulations	No. But the Order provides the Board the authority to regulate and enforce any violations, including post-construction site runoff violations.
4	4.B.2 Evaluate current non-structural BMPs and current BMP inspection program	Non-structural and structural facilities are inspected .	2	Inspections	Yes. The District's non-structural and structural BMPs are reviewed during the SC meetings and the appropriate facilities are inspected at least twice yearly to detect the presence of any hazardous materials. By inspecting and removing any pollutants found, the District reduces the amount of pollutants entering the stormwater system.
5	Conduct inspections of pollution prevention measures; provided written reports	Written Reports on inspections	?	Inspections	Yes. Conducting the inspections and maintaining accurate records ensures that hazardous or illicit pollution and/or materials are removed quickly and thoroughly.
5	Identify persons responsible for implementation of the program	Identified Persons	2	Persons	No. However determining the persons responsible for implementing the goals of the SWMP ensures that stormwater pollution issues will be more effectively addressed.

5	Identify potential hazardous materials used in operation, including develop and maintain inventory of stormwater facilities	Evaluation of hazardous materials, including review of inventory of stormwater facilities.	1	Evaluation performed	No. However identifying potential hazardous materials ensures that the District can plan appropriately to handle the materials if detected.
5	Identify existing and implement new methods to reduce stormwater pollution. Evaluate existing and introduce new pollution controls	Evaluation of existing methods to reduce stormwater pollution and consider new pollution controls.	1	Evaluation	No. The SC met and discussed the District's current stormwater pollution methods and controls. The SC determined that the current methods in place were working effectively and that no new controls needed to be implemented at this time. Continuing to monitor this BMP and to update as necessary ensures that new stormwater pollution issues will be addressed effectively.
5	Utilize organic pesticides and herbicides to the fullest extent possible	Evaluation of pesticides and herbicides	1	Evaluation performed	Yes. The District's prioritized the use of organic, natural, and organic based fertilizers and pest control where reasonably applicable, pursuant to its landscaping contract, minimizes discharge of pesticides into the stormwater system. See Exhibit "I."
5	Develop and conduct training program	Reduction of stormwater pollution	1	Training Program	Yes. The training program conducted ensures that residents and other members of the public will recognize and assist in removing and/or reporting stormwater pollution to the District, thus ensuring timely action and/or mitigation.

4. Provide the measurable goals for each of the MCMs, and an evaluation of the success of the implementation of the measurable goals (**see Example 3 in instructions**):

MCM(s)	Measurable Goal(s)	Explain progress toward goal or how goal was achieved. If goal was not accomplished, please explain.
1	Conduct SC meetings in accordance with the identified schedule and request public participation	Goal met. The SC met via video conference calls and addressed any stormwater concerns and issues that arose throughout the year via electronic mail or in discussion in regular Board meetings where stormwater management was included as a standing item on the agenda.
1	Public Education and Outreach	Goal met. The SC reviewed existing brochures to determine if additional subjects should be included as well as conducted presentation to all Board members and Consultants, including members of the public regarding the requirement of the stormwater program, including defining stormwater runoff and identifying pollutants. Stormwater educational information was provided to District residents via a direct mail out of the information.
1	Website	Goal Met. The SC reviewed the stormwater quality information included on the District's website to determine if updates were needed. The approved SWMP and Year 1 Annual Report was posted on website, as required. The website was updated as needed, and lists opportunities for the public to participate in stormwater activities.
1	Outreach Program	Goal Met. A stormwater fact sheet has been prepared and is available on request.
1	Community Clean up	Goal Met. Hazardous waste collection events have been included on the District's website.
1	Forming Partnerships	Goal Met. The District's Engineer and members of the SC have contacted and initiated an ongoing relationship with persons at the City of Cedar Park.
1	Stormwater Drain Labeling	Goal met. All stormwater drain inlets were identified and inspected and repaired or replaced as needed.
2	Illicit Discharge Regulations Order	Goal met. The Board of the District adopted Rules and Regulations which include illicit discharge regulations.

2	Program to detect and eliminate illicit discharges	Goal Met. The District has implemented a system on the District's website to publicize and facilitate public reporting of illicit discharges or water quality impacts associated with the District's MS4 System. The SC conducts quarterly routine inspections of the District's stormwater facilities.
2	Storm Sewer Map	Goal Met. The SC has reviewed and updated the map of the MS4 system to ensure compliance with the District's SWMP and MS4 Permit. This map details the District's stormwater facilities.
2	Education and Training	Goal Met. A training program describing the implementation of illicit discharge practices and procedures was developed, and an annual training was conducted.
2	Outfall Screening	Exceeded Goal. The District's landscaping contractor and SC visually inspected the outfalls within the District, and 100% of the outfalls were screened during the year to ensure that pollutants were not introduced to the stormwater system.
3	Construction Site Runoff Regulations/Order	Goal met. The Board of the District adopted Rules and Regulations which include construction site runoff regulations.
3	Public Information	Goal met. The SC reviewed the topics in its educational materials to determine if additional information was needed. This ensures that the public is kept up-to-date on what constitutes construction site stormwater runoff.
3	Construction Site Runoff	Goal met. The SC reviewed the requirements for contractors to ensure that they meet TCEQ TPDES Construction General Permit requirements.
4	Address post-construction runoff	Goal met. The Board of the District adopted Rules and Regulations which include post-construction site runoff regulations.
4	Evaluate current non-structural BMPs and current BMP inspection program	Goal met. The SC reviewed the current non-structural BMPs and current BMP inspection program to determine if changes were needed. It was determined that no changes were needed at this time.
5	Develop written procedures for inspecting and maintaining structural controls.	Goal met. Written procedures for inspecting and maintaining structural controls have been drafted.

5	Conduct inspections of pollution prevention measures and maintain written reports (inspection log)	Goal met. The SC conducted the required inspections and provided detailed reports to the Board for review and/or possible action.
5	Identify persons responsible for implementation of the program	Goal met. The Board of Directors of the District determined that the SC is the entity within the District responsible for implementing the SWMP.
5	Identify potential hazardous materials, including develop and maintain inventory of stormwater facilities	Goal met The SC has met and identified potential hazardous materials. No new stormwater facilities or controls were added, and the existing facilities are performing appropriately.
5	Identify existing and implement new methods to reduce stormwater pollution. Evaluate existing and introduce new pollution controls	Goal met. The SC met and discussed the District's current stormwater pollution methods and controls. The Committee determined that the current methods in place were working effectively and that no new controls needed to be implemented at this time. The SC agreed to continue to monitor this BMP and to update as necessary.
5	Utilize organic pesticides and herbicides to the fullest extent possible	Goal met. The District's currently uses organic, natural, and organic based fertilizers and pest control where reasonably applicable pursuant to its landscaping contract to minimize discharge of pesticides into the stormwater system.
5	Develop and conduct an annual training on how to reduce stormwater pollution	Goal met. Training was developed and presented at a public, duly noticed, Board meeting.

C. Stormwater Data Summary

Provide a summary of all information used, including any lab results (if sampling was conducted) to assess the success of the SWMP at reducing the discharge of pollutants to the MEP. For example, did the MS4 conduct visual inspections, clean the inlets, look for illicit discharge, clean streets, look for flow during dry weather, etc.?

The District's landscaping consultants and Stormwater Committee conducted visual observations of all outfalls and stormwater facilities within the District during routine inspections. No illicit discharges were discovered during these screenings as the outfalls

and drainage system of the District are wet-weather facilities. No notable flows during dry weather were observed in the outfalls, and the inlets are routinely screened for removal of litter and any other potential stormwater pollutants.

D. Impaired Waterbodies

1. Identify whether an impaired water within the permitted area was added to the latest EPA-approved 303(d) list or the Texas Integrated Report of Surface Water Quality for CWA Sections 305(b) and 303(d). List any newly-identified impaired waters below by including the name of the water body and the cause of impairment.

Not Applicable

2. If applicable, explain below any activities taken to address the discharge to impaired waterbodies, including any sampling results and a summary of the small MS4's BMPs used to address the pollutant of concern.

Not Applicable

3. Describe the implementation of targeted controls if the small MS4 discharges to an impaired water body with an approved TMDL.

Not Applicable

4. Report the benchmark identified by the MS4 and assessment activities:

Benchmark Parameter <i>(Ex: Total Suspended Solids)</i>	Benchmark Value	Description of additional sampling or other assessment activities	Year(s) conducted
N/A	N/A	N/A	N/A

5. Provide an analysis of how the selected BMPs will be effective in contributing to achieving the benchmark:

Benchmark Parameter	Selected BMP	Contribution to achieving Benchmark
N/A	N/A	N/A

6. If applicable, report on focused BMPs to address impairment for bacteria:

Description of bacteria-focused BMP	Comments/Discussion
N/A	N/A

7. Assess the progress to determine BMP's effectiveness in achieving the benchmark.

For example, the MS4 may use the following benchmark indicators:

- number of sources identified or eliminated;
- number of illegal dumpings;
- increase in illegal dumping reported;
- number of educational opportunities conducted;
- reductions in sanitary sewer flows (SSOs); /or
- increase in illegal discharge detection through dry screening.

Benchmark Indicator	Description/Comments
N/A	N/A

E. Stormwater Activities

Describe activities planned for the next reporting year:

MCM(s)	BMP	Stormwater Activity	Description/Comments
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2	Education and Training	Annual Training	The SC has agreed that annual trainings are useful tools and plans to review and update the annual trainings; trainings will be provided on the District's website for maximum education of the public.
2	Construction site and post-construction runoff	Develop, adopt, and implement Rules and Regulations	The District will continue to review its Rules and Regulations to determine if any changes are required.
2	Complete screening of 100% of the stormwater outfalls that discharge to the MS4 in accordance with the identified schedule	Continue screening of all outfalls	The District anticipates conducting additional screening of outfalls, including visual inspection.

F. SWMP Modifications

1. The SWMP and MCM implementation procedures are reviewed each year.

☒ Yes ☐ No

2. Changes have been made or are proposed to the SWMP since the NOI or the last annual report, including changes in response to TCEQ's review.

☐ Yes ☒ No

If "Yes," report on changes made to measurable goals and BMPs:

MCM(s)	Measurable Goal(s) or BMP(s)	Implemented or Proposed Changes (Submit NOC as needed)

Note: If changes include additions or substitutions of BMPs, include a written analysis explaining why the original BMP is ineffective or not feasible, and why the replacement BMP is expected to achieve the goals of the original BMP.

3. Explain additional changes or proposed changes not previously mentioned (i.e. dates, contacts, procedures, annexation of land, etc.).

G. Additional BMPs for TMDLs and I-Plans

Provide a description and schedule for implementation of additional BMPs that may be necessary, based on monitoring results, to ensure compliance with applicable TMDLs and implementation plans.

BMP	Description	Implementation Schedule (start date, etc.)	Status/Completion Date (completed, in progress, not started)
N/A	N/A	N/A	N/A

H. Additional Information

1. Is the permittee relying on another entity to satisfy any permit obligations?

☐ Yes ☒ No

If "Yes," provide the name(s) of other entities and an explanation of their responsibilities (add more spaces or pages if needed).

- 2.a. Is the permittee part of a group sharing a SWMP with other entities?

☐ Yes ☒ No

- 2.b. If "yes," is this a system-wide annual report including information for all permittees?

☐ Yes ☐ No

If "Yes," list all associated authorization numbers, permittee names, and SWMP responsibilities of each member (add additional spaces or pages if needed):

Authorization Number: _____ Permittee: _____

Authorization Number: _____

Permittee: _____

Authorization Number: _____

Permittee: _____

Authorization Number: _____

Permittee: _____

I. Construction Activities

1. The number of construction activities that occurred in the jurisdictional area of the MS4 (Large and Small Site Notices submitted by construction site operators):

_____ Zero _____

- 2a. Does the permittee utilize the optional seventh MCM related to construction?

____ Yes X No

- 2b. If "yes," then provide the following information for this permit year:

The number of municipal construction activities authorized under this general permit	
The total number of acres disturbed for municipal construction projects	

Note: Though the seventh MCM is optional, implementation must be requested on the NOI or on a NOC and approved by the TCEQ.

J. Certification

If this is this a system-wide annual report including information for all permittees, each permittee shall sign and certify the annual report in accordance with 30 TAC §305.128 (relating to Signatories to Reports).

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Name (printed): Troy Fielding Title: Board President

3/12/2021

Signature: Troy Fielding Date: _____

Name of MS4: The Ranch at Cypress Creek Municipal Utility District No. 1

If you have questions on how to fill out this form or about the Stormwater Permitting program, please contact us at 512-239-4671.

Individuals are entitled to request and review their personal information that the agency gathers on its forms. They may also have any errors in their information corrected. To review such information, contact us at 512-239-3282.

EXHIBIT A

**THE RANCH AT CYPRESS CREEK MUD NO. 1
STORM WATER COMMITTEE
AGENDA**

**September 3, 2020
6:30 P.M.**

Join the meeting: <https://call.lifesizecloud.com/4424014>

Click to call from Mobile (audio only)
United States: +1 (312) 584-2401,, 4424014#

I. Convene meeting

II. Discuss Year 2 implementation goals pending, including:

❖ **Public Education, Outreach and Involvement on Stormwater Impacts**

- **Review status stormwater website page(s) to educate the public on stormwater issues**
 - Confirm that hazardous waste collection events publicized on website
 - Confirm educational information on website
 - Consider additional activities and opportunities for public participation in the District's SWMP for inclusion on the website
 - Confirm SWMP and Annual Report are posted on District website
 - Consider partnerships with other entities (i.e. the City of Cedar Park)
 - Implement mail out process (either through delivery of relevant brochures to the City of Cedar Park for mail out with utility bills, or through direct mail out by District to all residents)
 - Schedule annual presentation (publicize on website?)
- **Development/review of storm water educational brochure(s);**
 - Review and assess topics in educational materials to determine if any changes required
- **Status of the District's Storm Drain Labeling Program**
 - Status of annual written report on number of storm drains labeled, as well as the repair or replacement of any existing storm drain labels

❖ **Illicit Discharge Detection and Elimination**

- **Develop program to detect and eliminate illicit discharges**
 - Implement written routine inspection program
 - Written procedures describing the basis for conducting inspections in response to complaints and conducting follow-up inspections
 - On-site procedures for responding to illicit discharges and spills
 - Develop plan to detect and address non-stormwater discharges and illegal dumping to the MS4 (does not need to be implemented until 2021)
 - A record will be made of each possible illicit discharge in which follow-up actions are required. The record must consist of a geographical point of reference, date, description of follow, and summary of follow-up actions
 - Develop detailed records of negative findings of dry weather inspections
 - SWMP Report on any illicit discharges, to date, including follow-up actions

- Status of updates to the District's Storm Sewer System Map – Confirm map is up-to-date
 - Written procedures describing the District's' inspection process in response to illicit discharge complaints (must include follow-up inspections and public reporting methods)
 - Training program which describes the implementation of illicit discharge practices and procedures, regarding the observation of an illicit discharge or illicit connection to the MS4
 - Annual Report on number of outfall screenings
- ❖ **Construction Site Stormwater Runoff Control**
- Status of development and implementation of written site plan review process, including addressing post-construction runoff
 - Develop and/or provide stormwater brochure specifically addressing stormwater impacts from construction sites. The brochure will outline methods by which contractors and developers can reduce stormwater impacts. The brochure will also inform operators of their duty to control waste and implement erosion and sediment controls
 - Develop procedures by which to receive and consider information from the public and include information in any construction educational materials and on the District's website (Include in Rules and Regulations – if necessary)
- ❖ **Post Construction Storm Water Management**
- Develop Mechanisms to address post-construction runoff
- ❖ **Pollution Prevention/Good Housekeeping**
- Identify potential hazardous materials within the District
 - Review inventory of all District stormwater facilities (Attach to Rules and Regulations)
 - Identify existing and implement methods to reduce stormwater pollution
 - Review procedures to detect and address non-stormwater discharges and illegal dumping
 - Written procedures for inspecting and maintaining structural controls
 - Conduct inspections of pollution prevention measures and maintain inspection log
 - Develop and conduct annual training program which describes how to reduce stormwater pollution
- ❖ **SWMP Rules and Regulations**
- Review draft SWMP Rules and Regulations
 - Confirmation of persons responsible for implementation of Stormwater Program
- ❖ **Training Requirements**
- Training program that describes the implementation of illicit discharge practices and procedures, regarding the observation of an illicit discharge or illicit connection to the MS4
 - Confirm training program in place and dates to be conducted (annual requirement)
 - Training program which describes how to reduce stormwater pollution

- Confirm training program in place and dates to be conducted (required annually)

❖ **Status of Stormwater Program**

- Evaluate/update current non-structural BMPs
- Evaluate/update current BMP inspection program

III. Discuss action items for and/or schedule next stormwater committee meeting;

IV. Additional Committee comments.

**THE RANCH AT CYPRESS CREEK MUD NO. 1
STORM WATER COMMITTEE
AGENDA**

**December 2, 2020
6:00 P.M.**

Join the meeting: <https://call.lifesizecloud.com/4424014>

I. Convene meeting

II. Discuss Year 2 implementation goals pending, including:

❖ **Public Education, Outreach and Involvement on Stormwater Impacts**

- **Review status stormwater website page(s) to educate the public on stormwater issues**
 - Confirm educational information on website; provide verification of quarterly review
 - Consider additional activities and opportunities for public participation in the District's SWMP for inclusion on the website
 - Consider partnerships with other entities (i.e. the City of Cedar Park)
 - Implement mail out process (either through delivery of relevant brochures to the City of Cedar Park for mail out with utility bills, or through direct mail out by District to all residents)
 - Annual presentation (publicize on website)
 - Signage on Stormwater Facilities
- **Development/review of storm water educational brochure(s);**
 - Review and assess topics in educational materials to determine if any changes required
- **Status of the District's Storm Drain Labeling Program**
 - Status of annual written report on number of storm drains labeled, as well as the repair or replacement of any existing storm drain labels

❖ **Illicit Discharge Detection and Elimination**

- **Develop program to detect and eliminate illicit discharges (also called non-stormwater discharge)**
 - Implement written routine inspection program, to include (Exhibit A to Rules):
 - The basis for conducting inspections in response to complaints
 - Follow-up inspections (must maintain a record of each possible illicit discharge in which follow-up actions are required. The record must consist of a geographical point of reference, date, description of follow, and summary of follow-up actions) (Exhibit C to the Rules)
 - On-site procedures for responding to illicit discharges and spills
 - Plan to detect and address non-stormwater discharges and illegal dumping to the MS4 (does not need to be implemented until 2021) (The District will actively patrol and inspect non-stormwater discharges, including illegal dumping into its MS4) Controlling pollutant discharges by any District facility or contractor
 - Public reporting methods
 - Annual Outfall Screening Report

- Must include: location, dimensions, presence of silt, soil or trash in and around outfall, presence of dry weather flow through outfall, preliminary assessment of dry weather flow, i.e. odors, color, sheet, etc.
 - Must provide detailed records of negative findings of dry weather inspections
 - Wet weather screening will be used as necessary to monitor outfalls in areas of high rainfall
 - Status of updates to the District's Storm Sewer System Map – Confirm map is up-to-date (The map must include the locations of all major outfalls and the names and locations of all waters of the State which receive discharges from the outfalls. All District facilities to be listed on the map)
 - Training program which describes the implementation of illicit discharge practices and procedures, regarding the observation of an illicit discharge or illicit connection to the MS4
- ❖ **Construction Site Stormwater Runoff Control**
- Status of development and implementation of written site plan review process, including addressing post-construction runoff and site inspection requirements (**Exhibit B to Rules**)
 - Develop and/or provide stormwater brochure specifically addressing stormwater impacts from construction sites. The brochure will outline methods by which contractors and developers can reduce stormwater impacts. The brochure will also inform operators of their duty to control waste and implement erosion and sediment controls
 - Develop procedures by which to receive and consider information from the public and include information in any construction educational materials and on the District's website (**Exhibit A to Rules**)
- ❖ **Post Construction Storm Water Management**
- Develop Mechanisms to address post-construction runoff
- ❖ **Pollution Prevention/Good Housekeeping**
- Identify potential hazardous materials within the District
 - Review inventory of all District stormwater facilities (**Exhibit D to Rules**) (Previously agreed to include facilities on Stormwater Map)
 - Identify existing and implement methods to reduce stormwater pollution
 - Current methods are: identify potential hazardous materials used in operations, prioritized litter collection, utilize organic pesticides and herbicides, whenever possible
 - Review procedures to detect and address non-stormwater discharges and illegal dumping
 - Written procedures for inspecting and maintaining structural controls (**Exhibit C to Rules**)
 - Conduct inspections of pollution prevention measures and maintain inspection log
 - Develop and conduct annual training program which describes how to reduce stormwater pollution
- ❖ **SWMP Rules and Regulations**

- Review draft SWMP Rules and Regulations
- Develop procedures to document and maintain records of enforcement actions (**Exhibit E to Rules, possibly just incorporate into Rules**)

❖ **Training Requirements**

- Training program that describes the implementation of illicit discharge practices and procedures, regarding the observation of an illicit discharge or illicit connection to the MS4
 - Confirm training program in place and dates to be conducted (annual requirement)
- Training program which describes how to reduce stormwater pollution
 - Confirm training program in place and dates to be conducted (required annually)

❖ **Status of Stormwater Program**

- Evaluate/update current non-structural BMPs
- Evaluate/update current BMP inspection program

III. Annual requirements for self-inspections of all stormwater management facilities

❖ Requirements for Annual Self-Inspections

- Annual Self-Inspections must be reduced in writing and submitted to the District that allows the inspectors the ability to review the results of inspections in conjunction with a site compliance review. (Page 6 of Draft Rules)

IV. Annual Report (due March 31, 2021)

V. Discuss action items for and/or **schedule next** stormwater committee meeting;

VI. Additional Committee comments.

EXHIBIT B

**STORMWATER COMMITTEE MEETING MINUTES
RANCH AT CYPRESS CREEK MUNICIPAL UTILITY DISTRICT NO. 1**

September 3, 2020

THE STATE OF TEXAS
WILLIAMSON AND TRAVIS COUNTIES

The Stormwater Committee (the “**Committee**”) of Ranch at Cypress Creek Municipal Utility District No. 1 (the “**District**”) met via video conference call on September 3, 2020 at 6:30 p.m. In attendance were the following members of the Committee: Troy Fielding and Leo Ramirez, Directors on the Board of Directors of the District; and Lecelle Clarke and Suzanne McCalla of McGinnis Lochridge (“**McGinnis**”), the District’s Attorney.

The Committee next reviewed the following items and/or requirements for compliance with the District’s Stormwater Management Program (“**SWMP**”):

Discuss Year 2 implementation goals pending, including:

❖ **Public Education, Outreach and Involvement on Stormwater Impacts**

- **Review status stormwater website page(s) to educate the public on stormwater issues**
 - The Committee confirmed that hazardous waste collection events were publicized on the District’s website, as required and that no additional changes were required.
 - The Committee reviewed the educational information currently included on the District’s website. After review, the Committee confirmed that additional updates to the brochures and information on the website were not necessary at this time.
 - The Committee discussed the activities and opportunities available on the District’s website to allow public participation in the District’s SWMP. After review, it was confirmed that ample opportunities for public participation were available on the District’s website.
 - The Committee confirmed that the SWMP and the District’s Annual Report are posted on District’s website, as required.
 - The Committee considered partnerships with other entities, i.e. the City of Cedar Park (the “**City**”). Director Fielding stated that he had contacted the City regarding working with the District on stormwater issues, but that the City stated it was not interested in participation with the District at this time.
 - The Committee discussed how best to implement a mail out of relevant stormwater brochures to District residents. The Committee authorized the GM to work with the District’s management company

to ensure that relevant stormwater material was mailed out to the District's residents prior to December 31, 2020.

- The Committee scheduled its annual training and educational presentation for the District's October Board of Directors meeting. Director Ramirez agreed to provide the presentation and training at the October meeting.
- **Development/review of storm water educational brochure(s);**
 - The Committee reviewed the District's current educational materials to determine if any changes were required. After review, it was agreed that new materials were not required at this time. The Committee agreed to re-review the materials at the District's next Stormwater Committee meeting.
- **Status of the District's Storm Drain Labeling Program**
 - The Committee discussed repair and/or replacement of stormwater drain labels throughout the District. Director Ramirez stated that he was in the process of inspecting the stormwater labels and would provide a report for inclusion in the Annual Report when complete.

❖ **Illicit Discharge Detection and Elimination**

- **Develop program to detect and eliminate illicit discharges**
 - The Committee discussed the need to implement a routine, inspection program, including written procedures describing the basis for conducting inspections in response to complaints and conducting follow-up inspections as well as on-site procedures for responding to illicit discharges and spills. The Committee authorized the District's Attorney to work with the District's Engineer to develop the inspection program, as required.
 - The Committee discussed the development of a plan to detect and address non-stormwater discharges and illegal dumping to the MS4. The Committee agreed that a record will be made of each possible illicit discharge in which follow-up actions are required and that the record would consist of a geographical point of reference, date, including description of follow-up actions. The Committee authorized the GM to ensure that accurate records are maintained.
 - The Committee discussed the need for detailed records of negative findings of dry weather inspections. The Committee authorized the GM to complete the inspections and provide needed reports.
 - The Committee reviewed SWMP reports on any illicit discharges, to date, including follow-up actions. Director Fielding noted he had provided a report in February for the previous calendar year and would provide additional information prior to the current calendar year.
 - The Committee discussed the status of the District's Storm Sewer System Map. Director Fielding agreed to update map.
 - The Committee agreed on the following written procedures regarding the District's' inspection process in response to illicit discharge

complaints: (1) Receive complaint; (2) Stormwater Committee and/or GM to investigate and report to appropriate authority for response; (3) Committee to provide report to Board for follow up response; Committee to follow up with complainant; (4) GM to do a follow-up inspection to insure resolution of the complaint; (5) GM to prepare a report regarding same for presentation to Board.

- The Committee discussed the implementation of an updated training program, which describes the implementation of illicit discharge practices and procedures, regarding the observation of an illicit discharge or illicit connection to the MS4. Director Ramirez agreed to conduct the training.
- The Committee discussed the requirement for an annual report on number of outfall screenings conducted throughout the District. The Committee agreed that the GM would conduct the inspections and provide the report prior to the calendar year end.

❖ **Construction Site Stormwater Runoff Control**

- The Committee discussed the status of development and implementation of a written site plan review process, including addressing post-construction runoff. The Committee authorized the District's Attorney to work with the District's Engineer to the written site plan review.
- The Committee reviewed current stormwater brochures to ensure that they specifically address stormwater impacts from construction sites. The Committee noted that the brochures must outline methods by which contractors and developers can reduce stormwater impacts. The brochure must also inform operators of their duty to control waste and implement erosion and sediment controls. Director Ramirez agreed to review current brochures to ensure that they comply, and research and provide example brochures for review at next Stormwater Committee meeting, if necessary.
- The Committee discussed the development of procedures to receive and consider information from the public and include the procedures in any construction educational materials (training) and on the District's website (Include in Rules and Regulations – if necessary.) The Committee authorized the District's Attorney to develop procedures for review at next Stormwater Committee meeting.

❖ **Post Construction Storm Water Management**

- The Committee discussed the development of mechanisms to address post-construction runoff. The Committee authorized the District's Attorney to work with the District's Engineer to develop to the necessary mechanisms.

❖ **Pollution Prevention/Good Housekeeping**

- The Committee reviewed potential hazardous materials within the District and determined that no additional actions needed to be taken at this time. The Committee noted that the District was a built-out subdivision with little to no construction taking place.
- The Committee discussed the requirement to maintain an accurate inventory of all District stormwater facilities. The Committee agreed that the District's GM would prepare and provide the inventory for attachment to the Rules and Regulations. It was also agreed that the inventory would be included on the District's stormwater system map.
- The Committee discussed the existing methods to reduce stormwater pollution and determined that no additional actions were required at this time.
- The Committee reviewed current procedures to detect and address non-stormwater discharges and illegal dumping within the District's stormwater system. The Committee noted that the GM would inspect the stormwater system quarterly and provide a report on the inspections prior to the calendar year end. The Committee also noted that monthly inspections were conducted by the District's landscapers and that organic pesticides were utilized, when possible.
- The Committee reviewed the written procedures for inspecting and maintaining structural controls included in the District's SWMP. The Committee authorized the GM to inspect the facilities quarterly and bring needed repairs and or maintenance to the Board for consideration.
- The Committee discussed the requirement to conduct inspections of pollution prevention measures and maintain inspection log. The Committee agreed that the GM would conduct the inspections and maintain the inspection log going forward.
- The Committee reviewed the requirement to conduct an annual training program that includes ways to reduce stormwater pollution. Director Ramirez agreed to include the information in his annual training program to be held in October.
-

❖ **SWMP Rules and Regulations**

- Ms. Clarke reviewed a draft of the SWMP Rules and Regulations. She detailed current requirements and noted that the Rules and Regulations were required to be adopted by the Board prior to December 31, 2020. She suggested that the Stormwater Committee re-review the Rules and Regulations at its next Stormwater Committee meeting to be held in November or early December.
- The Committee confirmed that the Stormwater Committee was responsible for implementation of Stormwater Program.

❖ **Training Requirements**

- The Committee discussed the requirement for the District's training program to describe the implementation of illicit discharge practices and procedures, regarding the observation of an illicit discharge or illicit connection to the MS4 and describes how to reduce stormwater pollution. The Committee agreed that Director Ramirez would include this information in his annual training at the District's October Board of Directors meeting.

❖ **Status of Stormwater Program**

- The Committee evaluated the District's current non-structural BMPs and determined that no changes were required at this time. The Committee authorized the District's GM to evaluate the current BMP inspection program going forward and report the need for any necessary changes to the program to the Committee.

- ❖ The Committee agreed to schedule the next Stormwater Committee meeting for November or early December 2020.

- ❖ Additional Committee comments. None at this time.

- ❖ The Committee then adjourned the meeting.

ACTION ITEM LIST:

Director Fielding and/or General Manager, as authorized by the Board:

- Update the District's inventory of stormwater facilities; include information on Storm Sewer System Map, prior to calendar year end.
- Work with District management company to ensure that relevant stormwater educational material is mailed out to the District's residents prior to calendar year end. Provide verification of mail out to District Attorney for inclusion in Annual Report.
- Provide reports on any illicit discharges, to date, including follow-up actions prior to calendar year end.
- Submit twice yearly written outfall screening reports, including location, dimension, presence of silt, soil or trash in or around the outfall, presence of dry weather flow (20% to be screened in Year 2)
 - Provide report on any illicit discharge, including dry weather inspection report
 - provide detailed records of negative findings prior to calendar year end.

- Prepare and provide stormwater facilities inventory to be included on stormwater map and as attachment to the Rules and Regulations.
- Inspect stormwater system quarterly and provide written report detailing the detection and follow-up actions of non-stormwater discharges and illegal dumping
- Confirm written procedures for inspecting and maintaining structural and nonstructural controls included in the District's SWMP. Inspect the facilities quarterly as detailed in the written procedures. Report repairs and or maintenance to the Board for consideration and possible action. Maintain detailed inspection log, as required.
- Draft/update written requirements for contractors as included in the SWMP
- Update and evaluate the current BMP inspection programs within the SWMP and report suggested changes to the Committee and/or District Board, for additional action, if required.

Director Ramirez:

- Prepare training presentation for October 15, 2020, Board of Directors meeting for Board members, consultants, and general public regarding the District's SWMP. Presentation to include:
 - Definition of stormwater versus stormwater pollution. Explain how to prevent and/or reduce stormwater pollution
 - reports on the District's storm drains labeling program
 - training program describing the District's implementation of illicit discharge practices and procedures, what to do when an illicit discharge or illicit connection to the MS4 is observed. Detail the District's procedures (See above for process)
 - training on illicit discharges at construction sites and how contractors can reduce stormwater impacts
 - Provide information on how to volunteer and/or obtain additional information on the District's stormwater prevention program
 - Provide training materials to District's Attorney for inclusion in Annual Report
- Review current brochures to ensure that they address stormwater impacts from construction sites. Brochures must outline methods by which contractors and developers can reduce stormwater impacts as well as inform operators of their duty to control waste and implement erosion and sediment controls. If brochures do not address issues, research and provide example brochures for review at next Stormwater Committee meeting, in necessary.
- Inspect the status of labels on the District's stormwater drains and provide a written report upon completion prior to calendar year end.
- Contact groups and/or members of the public regarding participation in the District's storm drain labeling program

District's Attorney

- Draft Rules and Regulations, to include all written procedures developed in compliance of the SWMP
- Draft minutes of the Committee meeting
- Work with District Engineer to develop written procedures describing the basis for conducting inspections in response to complaints and conducting follow-up inspections as well as on-site procedures for responding to illicit discharges and spills
- Work with District Engineer to develop written site plan review process, including addressing post-construction runoff procedures.
- Develop procedures to receive and consider information from the public and ensure inclusion of information on the District's website
- Work with District Engineer to develop mechanisms to address post-construction runoff.

**STORMWATER COMMITTEE MEETING MINUTES
RANCH AT CYPRESS CREEK MUNICIPAL UTILITY DISTRICT NO. 1**

December 2, 2020

THE STATE OF TEXAS
WILLIAMSON AND TRAVIS COUNTIES

The Stormwater Committee (the “**Committee**”) of Ranch at Cypress Creek Municipal Utility District No. 1 (the “**District**”) met via video conference call on December 2, 2020 at 6:00 p.m. In attendance were the following members of the Committee: Patrice Coles and Matthew Whittington, Directors on the Board of Directors of the District; Michael Rivera of Rivera Engineering, the District’s Engineer; and Zachariah T. Evans Lecelle Clark, and Suzanne McCalla of McGinnis Lochridge (“**McGinnis**”), the District’s Attorney.

The Committee next reviewed the following items and/or requirements for compliance with the District’s Stormwater Management Program (“**SWMP**”):

Discuss Year 2 implementation goals pending, including:

- ❖ **Public Education, Outreach and Involvement on Stormwater Impacts**
 - **Review status stormwater website page(s) to educate the public on stormwater issues**
 - The Committee confirmed that all the educational information on website was up-to-date.
 - The Committee discussed additional activities and opportunities for public participation in the District’s SWMP for inclusion on the website. Director Whittington stated his belief that the website should include more opportunities to allow public participation. The Committee discussed updating the website with links to various stormwater education sites, as well as providing more opportunities for the public to work with the Committee on stormwater issues. No additional action was taken at this time.
 - The Committee discussed forming partnerships with other entities (i.e. the City of Cedar Park) Mr. Rivera stated he was working with the Cedar of Cedar Park’s stormwater division to coordinate the District’s stormwater practices with the City’s requirements. He agreed to continue conversations with the City regarding other opportunities for the District and the City to work together. Director Coles volunteered to contact the Park Rangers about working with the District on stormwater issues.
 - Implement mail out process (either through delivery of relevant brochures to the City of Cedar Park for mail out with utility bills, or

through direct mail out by District to all residents) The Committee confirmed that direct mail outs of stormwater information would be send to all District residents via the District's management company.

- Annual presentation (publicize on website) –Director Coles confirmed that she would assemble and present the annual training and presentation at the District's December Board of Directors meeting
- The Committee then reviewed the status of signage on Stormwater Facilities. Directors Coles and Whittington agreed to add the stormwater signs within the District to the list of items to inspect during the stormwater facilities inspections.
- **Development/review of storm water educational brochure(s);**
 - The Committee reviewed the topics included in the District's stormwater educational materials to determine if any changes required. After review, the Committee agreed that no changes were required at this time.
- **Status of the District's Storm Drain Labeling Program**
 - Status of annual written report on number of storm drains labeled, as well as the repair or replacement of any existing storm drain labels. Director Whittington stated that he had completed the inspection of the District's existing storm drain labels. He noted that two were missing and would need to be replaced. Director Whittington pointed out that the District's map of inlet labels may need to be reviewed to ensure that it is accurate, and Mr. Rivera agreed to review the map for any required changes.

❖ **Illicit Discharge Detection and Elimination**

- **Develop program to detect and eliminate illicit discharges (also called non-stormwater discharge)**
 - The Committee then reviewed the requirement to implement written routine inspection program. Mr. Rivera presented an inspection program for the Committee's review. After discussion, the Committee agreed to accept the program as presented. The program included, among other items the following:
 - The basis for conducting inspections in response to complaints.
 - Follow-up inspections (will maintain a record of each possible illicit discharge in which follow-up actions are required. The record will consist of a geographical point of reference, date, description of follow, and summary of follow-up actions) Directors Coles and Whittington agreed that an inspection of the stormwater facilities with Mr. Rivera was crucial. A walkthrough inspection was scheduled for the upcoming weekend. Directors Coles

and Whittington agreed to develop a checklist detailing the status of the facilities inspected and all follow-up actions required for review by the Board.

- On-site procedures for responding to illicit discharges and spills
- Plan to detect and address non-stormwater discharges and illegal dumping to the MS4. The Committee agreed it will actively patrol and inspect non-stormwater discharges, including illegal dumping into its MS4, thus controlling pollutant discharges by any District facility or contractor
- Public reporting methods. The Committee detailed the various ways that the public could report illicit stormwater discharges, including at Board meetings and via the District's website.
- Annual Outfall Screening Report – The Committee agreed that an inspection of the District's outfalls would be conducted during the walkthrough inspection. The Committee reviewed the requirement that the inspection report include:
 - location, dimensions, presence of silt, soil or trash in and around outfall, presence of dry weather flow through outfall, preliminary assessment of dry weather flow, i.e. odors, color, sheet, etc.
 - detailed records of negative findings of dry weather inspections
 - Wet weather screening will be used as necessary to monitor outfalls in areas of high rainfall
- Status of updates to the District's Storm Sewer System Map – Mr. Rivera confirmed he was updating the map to include all facilities on one map. He hoped to have it complete in the next week.
- Training program which describes the implementation of illicit discharge practices and procedures, regarding the observation of an illicit discharge or illicit connection to the MS4. Director Coles confirmed that this information would be included in the District's Annual training.

❖ **Construction Site Stormwater Runoff Control**

- Mr. Rivera provided and reviewed a draft site plan site review process with the Committee. After discussion, the Committee agreed that the plan was sufficient. The Committee also agreed to include all written plans and procedures as exhibits to the District's Stormwater Rules and Regulations.
- The Committee discussed the need to develop or provide a stormwater brochure specifically addressing stormwater impacts from construction sites. The brochure will outline methods by which

contractors and developers can reduce stormwater impacts. The brochure will also inform operators of their duty to control waste and implement erosion and sediment controls. Director Coles agreed to research the District's current brochures and to update if needed.

- The Committee reviewed the District's current procedures by which to receive and consider information from the public and possible ways to include the information in any construction educational materials and on the District's website. After discussion, the Committee agreed no additional changes were required at this time.

❖ **Post Construction Storm Water Management**

- Develop Mechanisms to address post-construction runoff. The Committee noted that these mechanisms were already in place in SWMP.

❖ **Pollution Prevention/Good Housekeeping**

- Identify potential hazardous materials within the District. The Committee reported that no hazardous materials have been reported during the year.
- Review inventory of all District stormwater facilities. The Committee discussed including all the District's stormwater facilities on the stormwater map, for ease of inspections. Mr. Rivera confirmed that he would include all facilities on one map. The Committee noted that the map would be included as an attachment to the District's Stormwater Rules and Regulations.
- Identify existing and implement methods to reduce stormwater pollution
 - The Committee reviewed the following current methods utilized by the District: identification of potential hazardous materials used in operations, prioritization of litter collection, and utilization of organic pesticides and herbicides, whenever possible. After review, the Committee agreed that no additional action was required at this time.
- Review procedures to detect and address non-stormwater discharges and illegal dumping. The Committee reviewed the District's procedures already in place and confirmed that additional action was not required at this time.
- Written procedures for inspecting and maintaining structural control. Mr. Rivera reviewed updated written procedures with the Committee. No additional action was deemed necessary.

❖ **SWMP Rules and Regulations**

- Review draft SWMP Rules and Regulations. Mr. Evans next reviewed in detail the draft SWMP Rules and Regulations. The Committee agreed that the Rules and Regulations met the

requirements of the SWMP and should be presented to the Board for final approval.

- Develop procedures to document and maintain records of enforcement actions. The Committee reviewed draft procedures and agreed that the procedures would be incorporated into the SWMP Rules and Regulations.

❖ **Training Requirements**

- Training program that describes the implementation of illicit discharge practices and procedures, regarding the observation of an illicit discharge or illicit connection to the MS4. Ms. Coles confirmed that this information would be included in the annual training, which was scheduled for the December Board of Directors meeting.
- Training program which describes how to reduce stormwater pollution. Ms. Coles confirmed that this information would be included in the annual training, which was scheduled for the December Board of Directors meeting.

❖ **Status of Stormwater Program**

- Evaluate/update current non-structural BMPs
- Evaluate/update current BMP inspection program
 - The Committee evaluated the District's non-structural BMP's and determined no changes were needed at this time.

I. Annual requirements for self-inspections of all stormwater management facilities

❖ **Requirements for Annual Self-Inspections**

- Annual Self-Inspections must be reduced in writing and submitted to the District that allows the inspectors the ability to review the results of inspections in conjunction with a site compliance review. The Committee agreed that the previously discussed charts to be completed during regular inspections would comply with this requirement.

ACTION ITEM LIST:

Director Coles:

1. Prepare Annual Training program to include all required trainings
2. Prepare chart and/or checklist for stormwater facility inspections
3. Contact Park Rangers regarding forming partnerships with the District to promote stormwater education
4. Contact Management 360 to confirm that required District mail out of stormwater information is completed
5. Attend physical inspection of District stormwater facilities; document findings

6. Review the District's current brochures specifically addressing stormwater impacts from construction sites and update if needed.

Director Whittington

1. Contact the City of Cedar Park regarding forming partnerships to promote stormwater education and awareness
2. Attend physical inspection of District stormwater facilities; document findings
3. Confirm that updates to the District's map of facilities is up-to-date

Michael Rivera

1. Update District map to reflect all facilities on one map
2. Contact the City of Cedar Park regarding stormwater policies that reflect the City's policies to ensure that no conflict exists
3. Attend physical inspection of District stormwater facilities

District's Attorney

1. Revise SWMP Rules and Regulations, as discussed.
2. Attend physical inspection of District stormwater facilities; document findings

EXHIBIT C



WHAT IS STORM WATER



- STORM WATER COMES FROM RAIN

- WHICH RUNS OFF VARIOUS SURFACES

- ROOF RUNOFF
- STREET RUNOFF
- YARD RUNOFF

WHERE DOES STORM WATER GO?

- IT IS CARRIED THROUGH MUNICIPAL SEPARATE STORM SEWER SYSTEMS
- DISCHARGES INTO OUR RETENTION PONDS

WHAT IS A RETENTION POND

- PONDS DESIGNED TO STORE SURFACE RUNOFF
- CONSIST OF A PERMANENT AREA WITH BANKS & SURROUNDINGS
- USED TO PREVENT FLOODING & MANAGE RUNOFF
- TO PREVENT DOWNSTREAM EROSION
- TO IMPROVE WATER QUALITY

STORM WATER POLLUTANTS

- SEDIMENT
- NUTRIENTS
- BACTERIA
- OXYGEN DEMAND
- OIL & GREASE

TRACE METALS

TOXIC CHEMICALS

CHLORIDES

THERMAL IMPACTS

HOW TO PREVENT STORMWATER POLLUTION

- REMEMBER THAT ONLY RAIN BELONGS IN THE DRAIN
 - DON'T DUMP ANYTHING DOWN THE DRAIN. BE SURE TO CLEAR AWAY LEAVES & DEBRIS.
- IMPLEMENTING STREET CLEANING PROGRAMS IF POSSIBLE
- KEEP YOUR CAR WELL MAINTAINED
 - FIX ANY FLUID LEAKS PROMPTLY AND CLEAN UP SPILLS
- REGULATING THE USE OF PESTICIDES AND HERBICIDES
- DIRECTING YOUR DOWNSPOUTS TO VEGETATED AREAS, AND NOT TO THE STORM DRAIN ON YOUR STREET.



NOW THAT WE KNOW ABOUT STORM WATER & ITS IMPACTS ON OUR COMMUNITY

- WHAT DO WE DO ABOUT KEEPING IT SAFE?

DISTRICT STORM DRAIN LABELING PROGRAM

- WE DO HAVE A STORM DRAIN LABELING PROGRAM WHICH REQUIRES THAT WE DO PERIODIC CHECKS OF THE STORM DRAINS, MAKING SURE THEY HAVE THEIR LABELS.

STORM WATER PERMIT PROGRAM

- WE HAVE REGULATIONS THAT OUR MUD RESIDENTS ARE REQUIRED TO FOLLOW
- IT REQUIRES THAT WE IMPLEMENT A STORM WATER MANAGEMENT PROGRAM
- REQUIRES THAT WE TRACK PROGRESS TOWARD GOALS
- AND REQUIRES US TO REPORT ON OUR PROGRESS

OUR STORM WATER MANAGEMENT PROGRAM

- TO HAVE PUBLIC EDUCATION
- EDUCATE PUBLIC ON PROBLEMS RELATED TO DUMPING IN STORM SEWERS
- ILLICIT DISCHARGE PREVENTION
- GOOD HOUSEKEEPING & POLLUTION PREVENTION

BENEFITS OF OUR STORM WATER PROGRAM

- ENHANCED OPPORTUNITIES FOR RECREATION
- REDUCED FLOOD DAMAGE
- BETTER DRINKING WATER
- ILLNESSES REDUCED
- ENHANCED AESTHETIC VALUE

ILLEGAL DUMPING-INFORMATION & REPORTING

- IT IS ILLEGAL TO DUMP ITEMS ANYWHERE OTHER THAN A LANDFILL OR OTHER APPROVED FACILITIES. ILLEGAL DUMPING CAN RESULT IN FINES AND CRIMINAL PENALTIES, INCLUDING JAIL TIME. FOR MORE INFORMATION REGARDING ILLEGAL DUMPING IN YOUR COUNTY, OR INFORMATION REGARDING HOW TO REPORT ILLEGAL DUMPING, PLEASE FOLLOW THE LINKS BELOW. YOU CAN NOTIFY THE STORMWATER COMMITTEE BY CLICKING ON THE LINK ON OUR WEBSITE AT [HTTPS://WWW.RANCHATCC.ORG/STORMWATER/](https://www.ranchatcc.org/stormwater/).
- CURRENTLY, THE DISTRICT EMPLOYS THE WILLIAMSON COUNTY OFF-DUTY SHERIFF'S DEPARTMENT FOR DETERRENCE OF ILLICIT DISCHARGES. CONCURRENTLY, BOARD MEMBERS AND/OR THE DISTRICT'S LANDSCAPER MONITOR THE STORMWATER FACILITIES ON A REGULAR BASIS. THE DISTRICT'S CONTRACTORS INVESTIGATE DRAINAGE AND OTHER DRAINAGE INFRASTRUCTURE PROBLEMS WHEN REQUESTED BY CITIZENS. THE DISTRICT'S MAINTENANCE CONTRACTOR ALSO REPORTS DRAINAGE INFRASTRUCTURE PROBLEMS AS THEY ARE DISCOVERED.

EDUCATION & TRAINING OF ILLICIT DISCHARGE

- The District has developed a training program which describes the implementation of illicit discharge practices and procedures, regarding the observation of an illicit discharge or illicit connection to the MS4. This educational training program is being offered to all Board members and consultants, including the District's landscaper, on an annual basis.
- What is an illicit discharge? Any discharge to the stormwater system that is not composed entirely of stormwater.
- A record will be made of each possible illicit discharge in which follow-up actions were required. The record will consist of a geographical point of reference, date, description of flow, and summary of follow up actions. The District will develop detailed records of negative findings of dry weather inspections.
- When an illicit discharge has been determined, the MS4 shall notify immediately the responsible party of the problem and shall require the responsible party to perform all necessary corrective actions.
- The District is currently working on developing on-site procedures for responding to illicit discharges and spills with District Engineer. For more information please go to the District's Stormwater webpage <https://www.ranchatcc.org/stormwater/>.
- To report an illicit discharge you observe, click the Illicit Discharge button on the Stormwater web page.

VOLUNTEER PROGRAM

- The District has volunteer openings on the Stormwater Committee. Duties for the Stormwater Committee include assisting with drainage outlet cleanup, graffiti cleanup, waterway cleanup, checking and clearing the storm drains for debris and clogs, and cleanup of waste and pet waste in the park and public areas.
- To become a volunteer go to our website: <https://www.ranchatcc.org/stormwater/> and click on the Volunteer button. The button will automatically address the email to the stormwater committee members, Troy and myself.

QUIZ

- HOW CAN YOU REPORT AN ILLICIT DISCHARGE?

1. [HTTP://WWW.RANCHATCC.ORG/STORMWATER/](http://www.ranchatcc.org/stormwater/)
2. CONTACT YOUR MUD BOARD STORMWATER COMMITTEE MEMBERS
3. CLICK THE ILLICIT DISCHARGE BUTTON ON THE WEB SITE

QUIZ

- HOW CAN YOU RECOGNIZE A POTENTIAL ILLICIT DISCHARGE?

1. COLORED WATER
2. OILY SHEEN
3. FLOATING, SUSPENDED, OR SETTLED SOLIDS
4. FOAM

VISUAL QUIZ

WHICH OF THE FOLLOWING COULD CAUSE AN ILLICIT DISCHARGE?



#1
DUMPING AT A
STORM DRAIN INLET



#2
OUTDOOR WASHING
AND RINSING



#3
NON-TARGET LANDSCAPE
IRRIGATION RUNOFF

REMEMBER: STORM DRAINS DO NOT LEAD TO WASTEWATER TREATMENT FACILITIES. THEY GO INTO YOUR WATER SUPPLY.

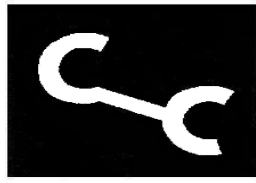


Credit: en.Wikipedia.org

FOR MORE INFORMATION

- GO TO THE MUD WEBSITE: [HTTP://WWW.RANCHATCC.ORG/](http://www.ranchatcc.org/)
- CLICK ON STORMWATER MENU;
[HTTP://WWW.RANCHATCC.ORG/STORMWATER/](http://www.ranchatcc.org/stormwater/)
- **MUD BOARD COMMITTEE MEMBERS:**
PATRICE COLES
MATTHEW WHITTINGTON
- EDUCATIONAL VIDEO:
[HTTPS://WWW.YOUTUBE.COM/WATCH?V=JJPFLHJBDC0](https://www.youtube.com/watch?v=JJPFLHJBDC0)

EXHIBIT D



THE RANCH at CYPRESS CREEK

Municipal Utility District #1

STORMWATER QUALITY INFORMATION AND FACT SHEET

The Ranch at Cypress Creek Municipal Utility District (the “District”) owns and maintains the stormwater facilities within the boundaries of the District. Stormwater facilities collect rainwater from roofs, driveways and other impervious surfaces in areas such as subdivisions, large commercial properties or roadways. The stormwater drains into stormwater facilities where it is infiltrated into an aquifer or allowed to slowly flow out into local streams, lakes, or wetlands. This collection of stormwater facilities within the District is referred to as a municipal separate storm sewer system or MS4 and is regulated under the National Pollutant Discharge Elimination System (NPDES), which requires states to establish and maintain a MS4 program. Texas has established a General Permit for Waste Discharge and provided a means for the TCEQ to delegate MS4 authorizations to cities, counties, universities, MUDs, etc. It is a violation of the Clean Water Act for entities designated as MS4s to discharge to the waters of the US without a permit. The TCEQ authorizes and manages the District’s regulatory framework for the discharge permit program including required inspections, yearly reporting and records management.

Stormwater Pollution:

Stormwater can pick up debris, chemicals, dirt, and other pollutants and flow into a storm sewer system or directly to a lake, stream, or river. Polluted stormwater runoff can have many adverse effects on plants, fish, animals, and people. Sediment can cloud the water and make it difficult or impossible for aquatic plants to grow. Sediment can also destroy aquatic habitats. Excess nutrients can cause algae blooms. When algae die, they sink to the bottom and decompose in a process that removes oxygen from the water. Fish and other aquatic organisms can’t exist in water with low dissolved oxygen levels. Debris (plastic bags, six-pack rings, bottles, etc.) washed into waterbodies can choke, suffocate, aquatic life like ducks, fish, turtles, and birds. Household hazardous wastes like insecticides, pesticides, paint, solvents, used motor oil, and other auto fluids can poison aquatic life. Polluted stormwater often affects drinking water sources. This, in turn, can affect human health.

Common Culprits:

- Roads are a source of pollution. Oils, grease, construction dirt, trash & cigarette butts wash off roads when it rains.
- Excess fertilizers wash off lawns and gardens when it rains & flows into surface water.
- Things put into storm drains and on the street can end up in our rivers, canals and coastal waters

What can we do:

What are some simple steps residents can take to help control stormwater pollution? Keeping pollutants out of stormwater run-off is less expensive than installing stormwater treatment facilities. There are several ways you can prevent pollution from entering stormwater:

- Leave grass clippings on your lawn (mulch).
- Sweep driveways, sidewalks and gutters to keep debris out of storm sewers.

- Use fertilizers and pesticides in recommended amounts. Consider using organic alternatives.
 - Direct downspouts to lawns or gardens.
- Wash vehicles on your lawn or at a car wash.
- Clean up pet waste.
- Dispose of hazardous materials properly.
- Practice dry clean-up methods – For instance, instead of hosing down your driveway or sidewalk, use a broom to sweep up waste.
- • Recycle used engine oil.

For more information about stormwater and what you can do to help, please go to the District's stormwater webpage at: <https://www.ranchatcc.org/stormwater/> or contact the District's Stormwater Committee at patrice.coles@ranchatcc.org or assistantsecretary@ranchatcc.org (direct link to contact Stormwater Committee is also available on the website.)

EXHIBIT E

From: [McCalla, Suzanne](#)
To: [McCalla, Suzanne](#)
Subject: FW: SWMP II.2.D.1.-.3 Outfall Inspections performed 2020-12-05
Date: Tuesday, February 16, 2021 12:08:04 PM

From: Matt [mailto:mattheww1978@gmail.com]
Sent: Thursday, December 10, 2020 10:30 AM
To: patrice coles (patrice.coles@ranchatcc.org) <patrice.coles@ranchatcc.org>
Cc: Evans, Zachariah T. <ZEvans@mcginnislaw.com>; McCalla, Suzanne <smccalla@mcginnislaw.com>
Subject: Re: SWMP II.2.D.1.-.3 Outfall Inspections performed 2020-12-05

CAUTION: EXTERNAL EMAIL – Only click links or open attachments from trusted senders.

The inlet labels have all been replaced and are in good working order.

From: [Matt](#)
To: [McCalla, Suzanne](#)
Subject: Re: Ranch at Cypress Creek MUD inlet inspection - 2020
Date: Wednesday, December 2, 2020 7:46:23 PM
Attachments: [0.gif](#)

CAUTION: EXTERNAL EMAIL – Only click links or open attachments from trusted senders.

Absolutely.

The two missing stormwater inlet labels are located on the following lots -

House #	Street Name	section	Block	lot #
2209	Corner of Bent Bow Drive and Bent Bow Cove	1	B	16
1101	Stillwell Ridge	13	C	1

On Wed, Dec 2, 2020 at 7:35 PM McCalla, Suzanne <smccalla@mcginnislaw.com> wrote:

Matt,

Can you provide the locations of the missing signage? Say at the corner of ___ and ___ or along the ___ street?

Suzanne McCalla
Paralegal
McGINNIS LOCHRIDGE
600 Congress Avenue, Suite 2100
Austin, TX 78701
o 512-495-6139 f 512-505-6320



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From: Matt [mailto:mattheww1978@gmail.com]
Sent: Wednesday, December 2, 2020 6:38 PM
To: McCalla, Suzanne <smccalla@mcginnislaw.com>
Subject: Ranch at Cypress Creek MUD inlet inspection - 2020

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Stormwater Inlet Signage Inspection Report – 2020

On November 27th and November 28th, 2020, I performed a visual inspection of the Ranch at Cypress Creek MUD 1's stormwater inlets looking for the appropriate signage and noted that 2 were missing the required signage.

Replacement signage is being located and will be replaced before the end of the year.

Thank you,

Matthew Whittington

EXHIBIT F

**AN ORDER OF THE BOARD OF DIRECTORS OF THE RANCH AT
CYPRESS CREEK MUNICIPAL UTILITY DISTRICT NO. 1;
ESTABLISHING RULES AND REGULATIONS IMPLEMENTING
AND ENFORCING THE DISTRICT'S STORMWATER
MANAGEMENT PLAN; PROVIDING PENALTIES UP TO \$10,000.00
PER VIOLATION; PROVIDING FOR REPEAL OF CONFLICTING
PROVISIONS; PROVIDING FOR SEVERABILITY; PROVIDING
FOR OPEN MEETING; PROVIDING AN EFFECTIVE DATE.**

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Section X. Authority to Enter and Inspect
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Section XIII. District Stormwater Facilities
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Section XVII. Severability
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Section I. Intent and Purpose

This Order establishes methods for controlling the introduction of pollutants into the municipal separate storm sewer system (MS4) of The Ranch at Cypress Creek Municipal Utility District No. 1 (District or Permittee) in order to comply with requirements of the Texas Pollutant Discharge Elimination System (TPDES) permit process. The objectives of this Order are:

- To regulate pollutants from stormwater discharges into and from the MS4;
- To prohibit illicit connections and discharges to the MS4;
- To control the discharge of spills and prohibit dumping or disposal of materials other than stormwater into the small MS4;
- To enforce compliance with the Permittee's Orders, permits, contracts, or orders;
- To require installation, implementation, and maintenance of control measures;

- To receive and collect information, such as stormwater plans, inspection reports, and other information deemed necessary to assess compliance with this permit, from operators of construction sites, new or redeveloped land, and industrial and commercial facilities;
- To establish legal authority to implement inspection and enforcement procedures to ensure compliance with this Order;
- To respond to non-compliance with Best Management Practices (BMPs) required by the small MS4 consistent with its Orders or other regulatory mechanism(s);
- To assess penalties, including monetary, civil, or criminal penalties; and
- To enter into interagency or interlocal agreements or other maintenance agreements, as necessary.

Section II. Definitions

Applicant - Property owner or agent of a property owner who filed an application for a stormwater authorization under a TPDES general permit or an individual TPDES permit.

Authorized Enforcement Agency - Employees or designees of the director of the District or the Texas Commission on Environmental Quality (TCEQ) have authority to enforce this Order and/or the TPDES regulations.

Best Management Practices (BMPs) - Schedule of activities, prohibitions of practices, maintenance procedures, structural controls, local Orders, and other management practices to prevent or reduce the discharge of pollutants. BMPs also include treatment practices, operating procedures, and practices to control runoff, spills or leaks, waste disposal, or drainage from raw materials storage areas.

Building - Any structure, either temporary or permanent, with walls and a roof, designed to shelter a person, animal, or property, and occupying more than 100 square feet of area.

Construction Activity - Includes soil disturbance, including clearing, grading, excavating, and other construction related activities (e.g., stockpiling of fill material and demolition); and does not include routine maintenance that is performed to maintain the original line and grade, hydraulic capacity, or original purpose of the site (e.g., the routine grading of existing dirt roads, asphalt overlays of existing roads, the routine clearing of existing right-of-ways, and similar maintenance activities). Regulated construction activity is defined in terms of small and large construction activity.

Small Construction Activity is construction activity that results in land disturbances equal to or greater than one (1) acre and less than five (5) acres of land. Small construction activity also includes the disturbance of less than one (1) acre of total land area that is part of a larger common plan of development or sale if the larger common plan will ultimately disturb equal to or greater than one (1) and less than five (5) acres of land.

Large Construction Activity is construction activity that results in land disturbance of equal to or greater than five (5) acres of land. Large construction activity also includes the disturbance of less than five (5) acres of total land area that is part of a larger common plan of development or sale if the larger common plan will ultimately disturb equal to or greater than five acres of land.

Conveyance - Curbs, gutters, man-made channels and ditches, drains, pipes, and other constructed features designed or used for flood control or to otherwise transport stormwater runoff.

Hazardous Materials - Any item or agent (biological, chemical, physical) that has the potential to cause harm to humans, animals, or the environment, either by itself or through interaction with other factors.

Illicit Connection - Any man-made conveyance connecting an illicit discharge directly to a municipal separate storm sewer.

Illicit Discharge - Any discharge to a municipal separate storm sewer that is not entirely composed of stormwater, except discharges pursuant to a TPDES stormwater general permit or a separate authorization and discharges resulting from emergency firefighting activities.

Land Disturbance Activity - Any activity which changes the volume or discharge rate of stormwater runoff from the land surface. This includes grading, digging, cutting, scraping, or excavating of soil, placement of fill materials, paving, construction, substantial removal of vegetation, or any activity which bares soil or rock or involves the diversion or piping of any natural or man-made watercourse.

Maintenance Agreement - A formal contract between a local government and a property owner to guarantee long-term maintenance of stormwater management practices.

Non-Stormwater Discharge - Any discharge to the storm drain system that is not composed entirely of stormwater.

Notice of Intent (NOI) - Notice of Intent for Small Municipal Separate Storm Sewer Systems (MS4) authorized under TPDES Phase II MS4 General Permit TXR040000 (Form TCEQ-20368).

Person - Any individual, association, organization, partnership, firm, corporation, or other entity recognized by law and acting as either the owner or as the owner's agent.

Pollutant - In accordance with the Texas Water Code, §26.001(13) a pollutant includes the following: dredged spoil, solid waste, incinerator residue, sewage, garbage, sewage sludge, filter backwash, munitions, chemical wastes, biological materials, radioactive materials, heat, wrecked or discarded equipment, rock, sand, cellar dirt, and industrial, municipal, and agricultural waste discharged into any water in the state.

Premises - Any building, lot, parcel of land, or portion of land whether improved or unimproved including adjacent sidewalks and parking strips.

Stormwater and Stormwater Runoff - Rainfall runoff, snow-melt runoff, and surface runoff and drainage.

Stormwater Management - The use of structural or non-structural control practices/BMPs designed to reduce stormwater pollutant runoff, discharge volumes, peak flow discharge rates, and detrimental changes in stream temperature that affect water quality.

Stormwater Pollution Prevention Plan (SWP3) - A document that describes the Best Management Practices and activities to be implemented by the permit holder to identify sources of pollution or contamination at a site and actions to eliminate or reduce pollutant discharges.

Stormwater Control Practices - Structural or nonstructural measures to minimize stormwater runoff to surface water in the state.

Surface Water in the State - Lakes, bays, ponds, impounding reservoirs, springs, rivers, streams, creeks, estuaries, wetlands, marshes, inlets, canals, the Gulf of Mexico inside the territorial limits of the state (from the mean high water mark (MHW) out 10.36 miles into the Gulf), and all other bodies of surface water, natural or artificial, inland or coastal, fresh or salt, navigable or non-navigable, and including the beds and banks of all water-courses and bodies of surface water, that are wholly or partially inside or bordering the state or subject to the jurisdiction of the state; except that waters in treatment systems which are authorized by state or federal law, regulation, or permit, and which are created for the purpose of waste treatment are not considered to be water in the state.

Texas Pollutant Discharge Elimination System Stormwater (TPDES) Discharge Permit - A permit issued by the Texas Commission on Environmental Quality (TCEQ), under the authority of Texas Water Code Sections 26.027 or 26.040 that authorizes the discharge of pollutants into or adjacent water in the state. The TPDES program is administered under the authority delegated pursuant to 33 U.S.C. Section 1342(b).

Unauthorized Discharge - Any direct or indirect non-stormwater discharge to the storm drain system except as exempted in Section V Prohibition of Illicit Connections of this Order.

Section III. Applicability

Unless exempted, this Order applies to discharges entering the storm drain system within the jurisdictional limits of the authorized enforcement agency.

Section IV. Responsibility for Administration

The District shall administer, implement, and enforce the provisions of this Order. Any powers granted or duties imposed upon the General Manager of the District may be delegated in writing by the General Manager to persons or entities acting in the beneficial interest of District.

Authorized individual(s) under this Section shall have the authority to enforce this Order in its entirety and shall be designated as a TPDES Stormwater Manager and/or Inspector. Any person subject to an industrial or construction TPDES stormwater discharge permit or authorization shall comply with all provisions of the permit and may be required by the District to have authorization to discharge stormwater into the MS4.

Section V. Prohibition of Illicit Connections and Discharges

The District has the authority to prohibit illicit discharges and illicit connections in accordance with TPDES Phase II MS4 Permit TXR040000 Part III Section A.3.(a)(2)a. This Order prohibits unauthorized discharges into the storm drain system. No person may release discharges into the municipal storm drain containing any pollutants that cause or contribute to a violation of water quality standards, other than stormwater or authorized non-stormwater discharges.

Section VI. Response to Releases

The District has the authority to respond to and contain other releases. The District will control the discharge of spills and strictly prohibit dumping or disposal of material other than stormwater and authorized non-stormwater discharges into the small MS4 in accordance with TPDES Phase II MS4 Permit TXR040000 Part III Section A.3.(a)(2)b. Any person in violation of this Order may risk having their discharge authorization to the MS4 terminated. The authorized enforcement agency will notify the violator of the proposed termination of its authorization. The violator may petition the District to reconsider and schedule a hearing.

When the person responsible has knowledge of any known or suspected release of materials resulting in or potentially resulting in unauthorized discharges into a storm sewer system or surface water in the state, the person must contain and clean up the release. If hazardous materials are released, the person must immediately notify emergency response agencies. If non-hazardous materials are released, the person must notify the authorized enforcement agency no later than the next business day. Notifications in person or by telephone must be confirmed by written notice addressed and mailed or e-mailed to the District.

During emergency situations involving unauthorized discharges from illicit connections, the District may suspend a person's MS4 authorization to stop an actual or threatened discharge which may present danger to the MS4 or surface water in the state. If the violator fails to comply, the authorized enforcement agency may take necessary steps to prevent or minimize damage to the MS4 or surface water in the state.

The District will actively patrol and inspect non-stormwater discharges, including illegal dumping into its MS4.

Procedures and policies describing the following are attached hereto as **Exhibit “A”** and fully incorporated herein for all purposes:

- the basis for conducting inspections in response to complaints;
- follow-up inspections;
- on-site response to illicit discharges and spills;
- detecting and addressing non-stormwater discharges and illegal dumping;
- controlling pollutant discharges by any District facility or contractor;
- public reporting methods.

Section VII. Permit Procedures and Requirements

The District is authorized to enforce compliance with the permittee’s permits, contracts, or orders in accordance with TPDES Phase II MS4 Permit TXR040000 Part III Section A.3.(a)(2)c.

Application Procedure

- Applications for land disturbance activity permits must be filed with the District on any regular business day.
- A copy of approved SWP3 and Notice of Intent shall be forwarded to the District for review prior to acceptance and approval of such plans.
- Permit applications shall include the following: two copies of the stormwater management plan, two copies of the maintenance agreement, and any required review fees.

Section VIII. Maintenance and Repair of Stormwater Facilities

The District has the authority to require installation, implementation, and maintenance of control measures in accordance with TPDES Phase II MS4 Permit TXR040000 Part III Section A.3.(a)(2)d.

Requirements for Annual Self-Inspections

All stormwater management facilities must undergo, at minimum, an annual self-inspection to document maintenance and repair needs and to verify compliance with the requirements of this Order. Inspections must be reduced to writing and submitted to the District in a manner that allows inspectors the ability to review the results of inspections in conjunction with a site compliance review. Maintenance and repair may include, but will not be limited to: removal of silt, litter, and other debris from all catch basins, inlets and drainage pipes; cutting grass and vegetation removal; and replacement of landscape vegetation. Maintenance needs must be addressed in a timely manner as determined by the District.

Failure to Maintain Practices

If the stormwater management facility becomes a danger to public safety or public health, the District shall notify the party responsible for maintenance of the stormwater management facility in writing. Upon receipt of that notice, the responsible person shall have ten (10) business days to meet maintenance and repair requirements. If the owner of the facility fails to comply with the requirements of the maintenance covenant, the District, after reasonable notice, may perform all necessary work to bring the facility into compliance, at the expense of the permittee.

Section IX. Requirements for Stormwater Management Plan Approval

The District has the authority to receive and collect information (i.e. stormwater pollution prevention plans, inspection reports, etc.) from any person (i.e. operators of regulated construction sites, new or redeveloped land, and industrial and commercial facilities) in accordance with TPDES Phase II MS4 Permit TXR040000 Part III Section A.3.(a)(2).e to assess compliance with this permit.

Permit applications must include detailed information that enables the District to evaluate the environmental characteristics of the project site, potential impacts of proposed developments, both present and future, and the effectiveness of proposed stormwater management measures to regulate stormwater runoff. Such information must include:

- Contact Information: The name, address, and telephone number of all persons with a legal interest in the property and the tax reference number and parcel number of the property or properties affected.
- Map(s) identifying the location of existing and proposed buildings, roads, parking areas, utilities, and structural stormwater management and sediment control facilities. The map(s) must show proposed land use and percentage of surface area to be adapted to various uses. The map(s) must identify drainage patterns, locations of utilities, roads and easements, the limits of clearing and grading, and a written description of the site plan.
- Sufficient engineering analysis to demonstrate the proposed stormwater management measures will control runoff from the site.
- An inventory of the natural resources at the site and surrounding area prior to proposed activities and a description of the watershed and its relation to the project site. The description should include the soil conditions, forest cover, topography, wetlands, and other native vegetative areas on the site. Particular attention should be paid to environmentally sensitive features that provide particular opportunities or constraints for development.
- A written description of the BMP for any proposed stormwater management facility.

- An erosion and sediment control plan must be included for all construction activities involving on-site stormwater management practices. An erosion and sediment control plan is a set of plans that indicate the specific measures for the erosion and sediment control on a development site during and after construction.

For any activity on a previously developed site, the applicant must indicate within the stormwater management plan the best management practices it will utilize to control stormwater runoff from the site in accordance with the standards of this Order.

Section X. Authority to Enter and Inspect

As further described below, the District has the authority to enter and inspect private property including facilities, equipment, practices, or operations, as related to stormwater discharges to the small MS4 in accordance with TPDES Phase II MS4 Permit TXR040000 Part III Section A.3.(a)(2)f.

- The District may enter and inspect facilities, equipment, practices and operations subject to regulation under this Order as often as necessary to determine compliance with this Order. If a discharger's security measures require proper identification and clearance before entry into the premises, the discharger shall make necessary arrangements to allow access to representatives of the authorized enforcement agency.
- Facility operators shall allow the District's representative(s) access to all parts of the premises for the purposes of inspection, sampling, examination and copying of records.
- The District has the right to monitor and/or sample the facility's stormwater discharge.
- The District may require the discharger to install and maintain necessary sampling and monitoring equipment.
- The operator must remove temporary or permanent obstruction(s) at the written or oral request of the District to allow safe and easy access to the facility for inspection and/or sampling purposes. The costs of clearing access will be borne by the operator and the obstructions may not be replaced.
- Unreasonable delays in allowing the District access to a permitted facility is a violation of a TPDES stormwater discharge permit and of this Order. A person commits an offense if the authorized enforcement agency is denied reasonable access to the permitted facility for the purpose of conducting any activity authorized or required by this Order.

The applicant may be required to notify the District prior to commencing construction activity. The District will regularly inspect the construction of stormwater management system and document in a written report:

- The date and location of the inspection
- Final Assessment - if construction activity complies with the stormwater management plan
- Approved construction specifications
- Identified violations - property owner must be notified in writing of the nature of the violation and the required corrective actions.
- Name and signature of the inspector

Section XI. Best Management Practices (BMPs) to Reduce Stormwater Pollutants

The District has the authority to respond to non-compliance with BMPs required by the small MS4 in accordance with TPDES Phase II MS4 Permit TXR040000 Part III Section A.3.(a)(2)g. The District will adopt measures to identify BMPs for any activity, operation, or facility which may facilitate pollution of stormwater, the storm drain system, or surface water in the state. The owner or operator of a commercial or industrial establishment shall implement, at their own expense, appropriate pollution control measures through the use of structural and non-structural BMPs to prevent and reduce discharge of pollutants into the municipal storm drain system or watercourses. The BMPs must be identified in the SWP3 to satisfy requirements of the TPDES permit.

The District will perform site plan review of its construction projects only. Pre-construction site plan reviews will be conducted on all District projects. Procedures for site plan review, including consideration of potential water quality impacts, are attached hereto as **Exhibit “B”** and fully incorporated for all purposes.

Procedures for receipt and consideration of information submitted by the public are attached hereto as **Exhibit “C”** and fully incorporated for all purposes.

All construction projects must meet TCEQ TPDES Construction General Permit requirements including site inspection requirements. Procedures for conducting site inspections and enforcing control measures are attached hereto as **Exhibit “D”** and fully incorporated for all purposes.

Procedures for inspecting and maintaining structural controls are attached hereto as **Exhibit “E”** and fully incorporated for all purposes.

Section XII. Education and Training

The District will develop a training program which describes the implementation of illicit discharge practices and procedures, regarding the observation of an illicit discharge or illicit

connection to the MS4. This training program will be offered to all consultants, including the District's landscaper, on an annual basis. The District's Directors must complete the education training program at least once annually.

Section XIII. District Stormwater Facilities

An inventory of the District's stormwater facilities is attached hereto as **Exhibit "F"** and fully incorporated for all purposes.

Section XIV. Enforcement

The District has the authority to assess penalties, including monetary, civil, or criminal penalties in accordance with TPDES Phase II MS4 Permit TXR040000 Part III Section A.3.(a)(2)h, and Section 49.004, Texas Water Code.

The District's procedures for documenting and maintaining records of enforcement actions are as follows:

1. The Stormwater Committee shall document in writing all enforcement actions; include any follow up actions.
2. All documentation shall be provided to the Board and the District's Attorney for inclusion in the District's Stormwater Records.

If the District finds a person to be in violation of this Order, the authorized enforcement agency may order compliance by written notice of violation to the responsible person. Such notice may require:

- Monitoring, analysis, and reporting
- Elimination of illicit connections or discharges
- Termination of existing discharges or practices and/or operations in violation of this Order
- Abatement and/or remediation of stormwater pollution or contamination hazards
- Payment of fines to cover administrative and remediation costs
- Implementation of pollution control measures or treatment BMPs

If the property must be remediated, the notice must establish a deadline to restore the site. The notice must further advise that, if the violator fails to remediate the site by the deadline, a designated governmental agency or contractor will restore the site at the expense of the violator.

Appeal of Notice of Violation

Any person receiving a Notice of Violation may appeal the determination to the District's Board of Directors. The Notice of Appeal must be received within five (5) business days from the date of the Notice of Violation. Hearing on the appeal before the appropriate authority or designee shall take place within sixty (60) business days from the date of receipt of the Notice of Appeal. The decision of the District's Board of Directors, or their designee, is final.

Enforcement Measures after Appeal

If the violation remains uncorrected after ten (10) business days, pursuant to the requirements set forth in the Notice of Violation, or, in the event of an appeal, then representatives of the authorized enforcement agency shall enter the regulated property to take the necessary actions to abate the violation and/or restore the property. It shall be unlawful for any person to refuse the District's representative to enter upon the premises for the purposes set forth above.

Cost of Abatement of the Violation

Within ten (10) business days after abatement of the violation, the owner of the property will be notified of the cost of abatement, including administrative costs. The property owner may file a written protest objecting to the amount of the assessment within five (5) business days. If the amount due is not paid within a timely manner as determined by the decision of the local jurisdiction or by the expiration of the time in which to file an appeal, the charges shall become a special assessment against the property and shall constitute a lien on the property for the amount of the assessment. Any person violating any of the provisions of this article shall become liable to the District by reason of such violation.

Injunctive Relief

It is unlawful for any person to violate any provision or fail to comply with any of the requirements of this Order. If a person has violated or continues to violate the provisions of this Order, the District may petition for a preliminary or permanent injunction restraining the person entity from activities prompting further violations or compel the person to perform abatement or remediation of the violation(s).

Compensatory Action

In lieu of enforcement proceedings, penalties, and remedies authorized by this Order, the District may impose upon a violator alternative compensatory actions, such as storm drain stenciling, attendance at compliance workshops, drainage cleanup, etc.

Criminal Prosecution

Any person found to have violated or who continues to violate this Order will be liable to criminal prosecution to the fullest extent of the law, and subject to a criminal penalty up to \$10,000.00 per violation.

Attorney's Fee's

The District may recover all attorney fees, court costs, and other expenses associated with enforcement of this Order, including sampling and monitoring expenses.

Fines and Policy

The District is authorized to develop a schedule of fines and to develop policy from time to time to assure compliance with requirements of Section I “Intent and Purpose”. The schedule of fines shall adhere to all applicable local, state and federal laws. The policy shall include, but will not be limited to, development of a TPDES enforcement program, staff training requirements, development of job descriptions, assignment of fines to specific violations, budget requirements, and job assignments.

Section XV. Maintenance Agreements

The District has the authority to enter into interagency or interlocal agreements or other maintenance agreements, as necessary in accordance with TPDES Phase II MS4 Permit TXR040000 Part III Section A.3.(a)(2)i. This agreement will include maintenance easements to access and inspect stormwater control practices, and perform routine maintenance to ensure proper stormwater control. A legally binding covenant will identify the responsible parties to maintain stormwater control practices.

Section XVI. Ultimate Responsibility

The standards set forth herein and promulgated pursuant to this Order are minimum standards. Therefore, this Order does not intend nor imply that compliance by any person will ensure prevention of contamination, pollution, and unauthorized discharge of pollutants.

Section XVII. Severability

The provisions and sections of this Order shall be deemed to be independent, and the invalidity of any portion of this Order shall not affect the validity of the remainder.

Section XVIII. Adoption of Order

This Order shall be in full force and effect after its final passage and adoption. All prior Orders in conflict with this Order are hereby repealed.

APPROVED and ORDERED this 10th day of December, 2020.

/s/ Troy Fielding
President, Board of Directors

ATTEST:

/s/ Patrice Coles
Secretary, Board of Directors

(SEAL)

EXHIBIT A: PROCEDURES REGARDING ILLICIT DISCHARGE DETECTION AND ELIMINATION

Detection Procedures

1. The District's landscape contractor visually inspects the District's stormwater facilities on each visit. The contractor must report any suspected illicit discharges to the District.
2. The District will conduct a visual inspection of all District facilities twice yearly. The inspections shall include dry-weather screening. Any suspected illicit discharges are to be documented and investigated.
3. A record will be made of each possible illicit discharge in which follow-up actions were required. The record will consist of a geographical point of reference, date, description of flow, and summary of follow up actions.
4. The District will develop detailed records of negative findings of dry weather inspections.
5. Board members will be trained to report all possible illicit and non-stormwater discharges.
6. Consultants, including the District's landscapers will be informed about identifying and reporting illicit discharges
7. The District's website will include information on illicit discharges and encourage District residents and the general public to report suspected illicit discharges to the District.
8. The District Stormwater Committee will review illicit discharge documentation and shall report to the District Board of Directors of any said findings, if any, with recommendations on solutions.

Elimination Procedures (On-Site Procedures for Responding to Illicit Discharges and Spills)

1. The District will respond to the identification or report of a potential illicit discharge within seventy-two (72) hours of being notified.
2. Once the potential illicit discharge has been identified, the District will investigate the source of the discharge. The District will then confirm if it is or is not an illicit discharge.
3. If a possible illicit discharge is identified, the District will trace the flow upstream to the extent of District property. The District will report flows originating off district to the appropriate city, county, or other entity with jurisdiction for further action. In the event the flow appears to create a hazard or contain toxic or noxious substances, the District will report the flow to the TCEQ.
4. If it not an illicit discharge, the District will document the results of their findings.
5. If it is an illicit discharge originating with the District, the District will determine appropriate actions needed. Responses will be in accordance with the Illicit

Discharge Detection and Elimination Guidance Manual. The level and timeliness of the response will be based on the severity of the illicit discharge. The response may include, but not be limited to, the following:

- Notification of the owner of the property that is the source of the discharge.
- For single or intermittent discharges, cleanup of the illicit discharge fluid and appropriate disposal of the illicit material.
- Placement of temporary a catch basin for intercepting the discharge.
- Evaluation of solutions for stopping the illicit discharge.
- Preparation of engineered drawings for elimination of the illicit discharge.
- Installation of permanent improvements for elimination of the discharge.

**EXHIBIT B: PROCEDURES FOR CONDUCTING SITE INSPECTIONS AND
ENFORCING CONTROL MEASURES (BMP 3 – CONSTRUCTION SITE)**

1. The District has established requirements that the District Engineer review all site plans within the District boundaries. As part of the site plan review, the District Engineer requires that the site plan applicant include standard District construction notes on its drawings. Those notes include a requirement that the District Engineer be notified prior to the start of construction.
2. If the District Engineer attends the preconstruction conference, the Engineer will point out to the contractor the District requirements, which include maintenance of the BMPs on the construction site.
3. If the District Engineer is not able to attend the preconstruction conference, the Engineer will meet with the contractor at the site upon the start of construction. At that time, the District Engineer will point out to the contractor the District requirements, which include maintenance of the BMPs on the construction site.
4. The District Engineer will conduct regular site visits to observe the progress of construction and to point out to the contractor any of the BMPs that require corrective maintenance.
5. The District Engineer will conduct a final site visit upon the completion of construction to confirm that the site was constructed in accordance with the approved plans. Any corrective measures that are required, will be pointed out to the contractor. Final acceptance of the project will not take place until all BMPs have been completed to the satisfaction of the District Engineer.

**EXHIBIT C: PROCEDURES FOR RECEIPT AND CONSIDERATION OF
INFORMATION SUBMITTED BY THE PUBLIC**

1. A link to report issues directly to the Stormwater Committee is available on the District's website
2. All reports will be reviewed by the Stormwater Committee and, if necessary, presented to the District's Board of Directors to take any action necessary.
3. A record of all reports to the Stormwater Committee will be maintained by the District's General Manager.

EXHIBIT D. PROCEDURES FOR CONDUCTING SITE INSPECTIONS AND ENFORCING CONTROL MEASURES

1. The District has established requirements that the District Engineer reviews all site plans within the District boundaries. As part of the site plan review, the District Engineer requires that the site plan applicant include standard District construction notes on its drawings. Those notes include a requirement that the District Engineer be notified prior to the start of construction.
2. If the District Engineer attends the preconstruction conference, the Engineer will point out to the contractor the District requirements, which include maintenance of the BMPs on the construction site.
3. If the District Engineer is not able to attend the preconstruction conference, the Engineer will meet with the contractor at the site upon the start of construction. At that time, the District Engineer will point out to the contractor the District requirements, which include maintenance of the BMPs on the construction site.
4. The District Engineer will conduct regular site visits to observe the progress of construction and to point out to the contractor any of the BMPs that require corrective maintenance.
5. The District Engineer will conduct a final site visit upon the completion of construction to confirm that the site was constructed in accordance with the approved plans. Any corrective measures that are required, will be pointed out to the contractor. Final acceptance of the project will not take place until all BMPs have been completed to the satisfaction of the District Engineer.

EXHIBIT E. PROCEDURES FOR INSPECTING AND MAINTAINING STRUCTURAL CONTROLS

1. The District Stormwater Committee member shall inspect the storm water facilities twice yearly.
2. Report any erosion, trash, graffiti, sediment buildup, rocks, or other issues to the Stormwater Committee.
3. The Stormwater Committee shall review any said findings and determine appropriate actions, if needed.
4. Stormwater Committee shall report to the District Board of Directors of any said findings, if any, with recommendations on remedying said findings.
5. The District Board of Directors will vote on appropriate and required remedies.

EXHIBIT F. INVENTORY OF DISTRICT STORMWATER FACILITIES

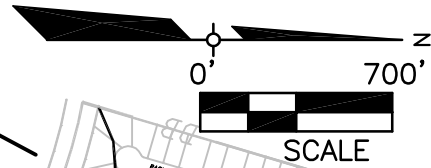
DISTRICT FACILITIES

- 1 - SECTION 3 DETENTION POND
 - 2 - SECTION 12 DETENTION POND
 - 3 - SECTION 5 CHANNEL
 - 4 - SECTION 4 CHANNEL
 - 5 - SECTION 2 DETENTION POND
 - 6 - SECTION 1 DETENTION POND
 - 7 - SECTION 13 DETENTION POND
 - 8 - SECTION 6 CHANNEL
- A - INTERNAL CONC. HEADWALL

LEGEND

DISTRICT BOUNDARY

DB

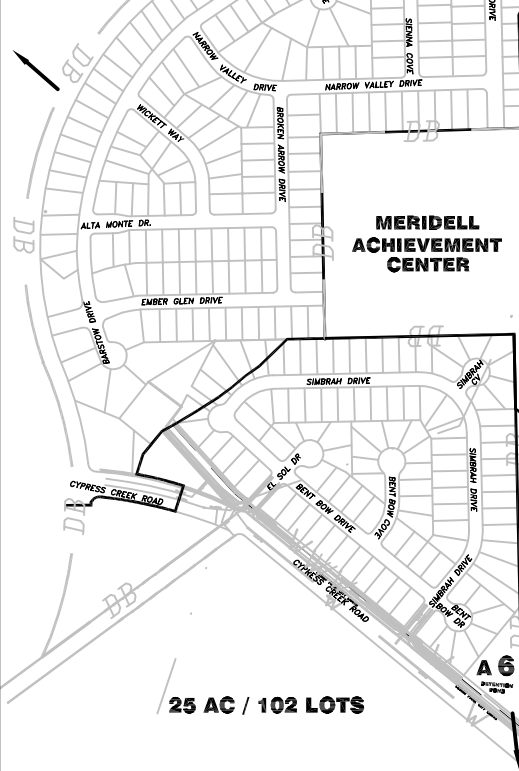


**DRAINS
TO BUTTERCUP
CREEK THEN TO
BRUSHY CREEK**

LAKE TRAVIS WATERSHED

220 LOTS

**DRAINS
TO
LAKE TRAVIS**



25 AC / 102 LOTS

BUTTERCUP CREEK WATERSHED

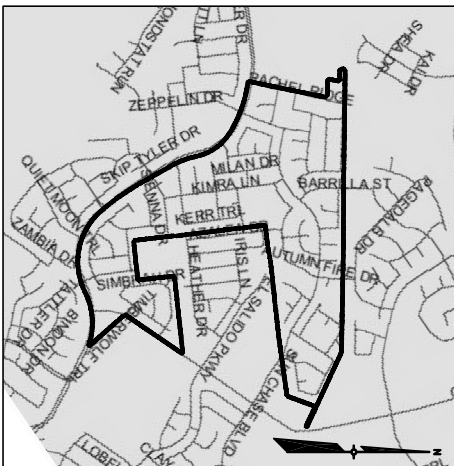
70 AC

20 AC

**ELIZABETH MILBURN
COMMUNITY PARK**

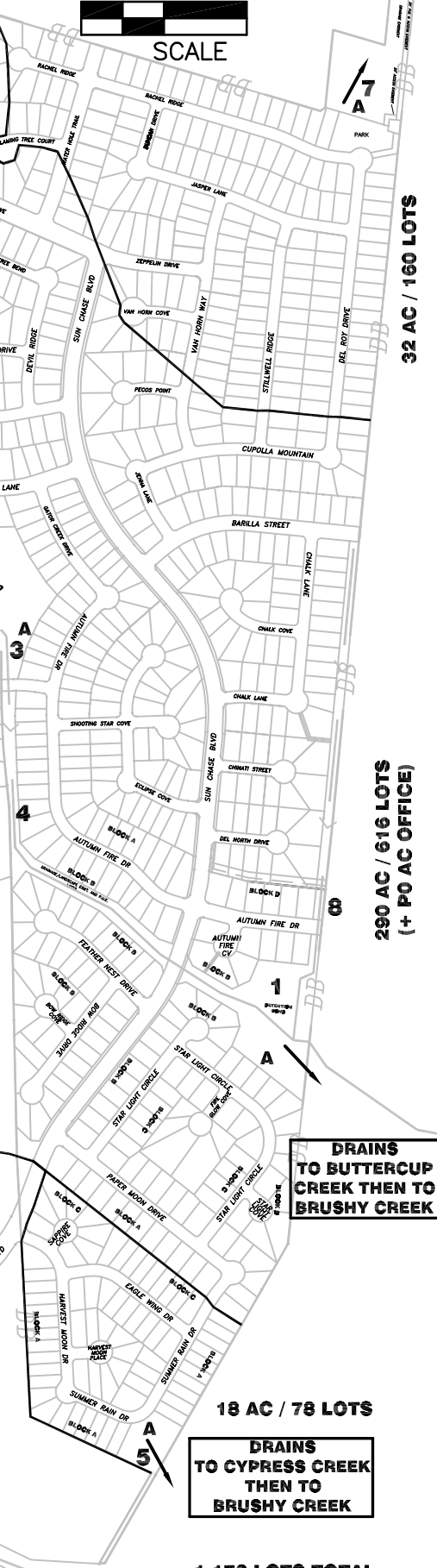
BANITA CREEK
JOINT
VENTURE

**DRAINS
TO CYPRESS CREEK
THEN TO
BRUSHY CREEK**



LOCATION MAP
N.T.S.

RANCH AT CYPRESS CREEK M.U.D. No. 1
DISTRICT WATERSHED & FACILITIES MAP



290 AC / 616 LOTS
(+ PO AC OFFICE)

32 AC / 160 LOTS

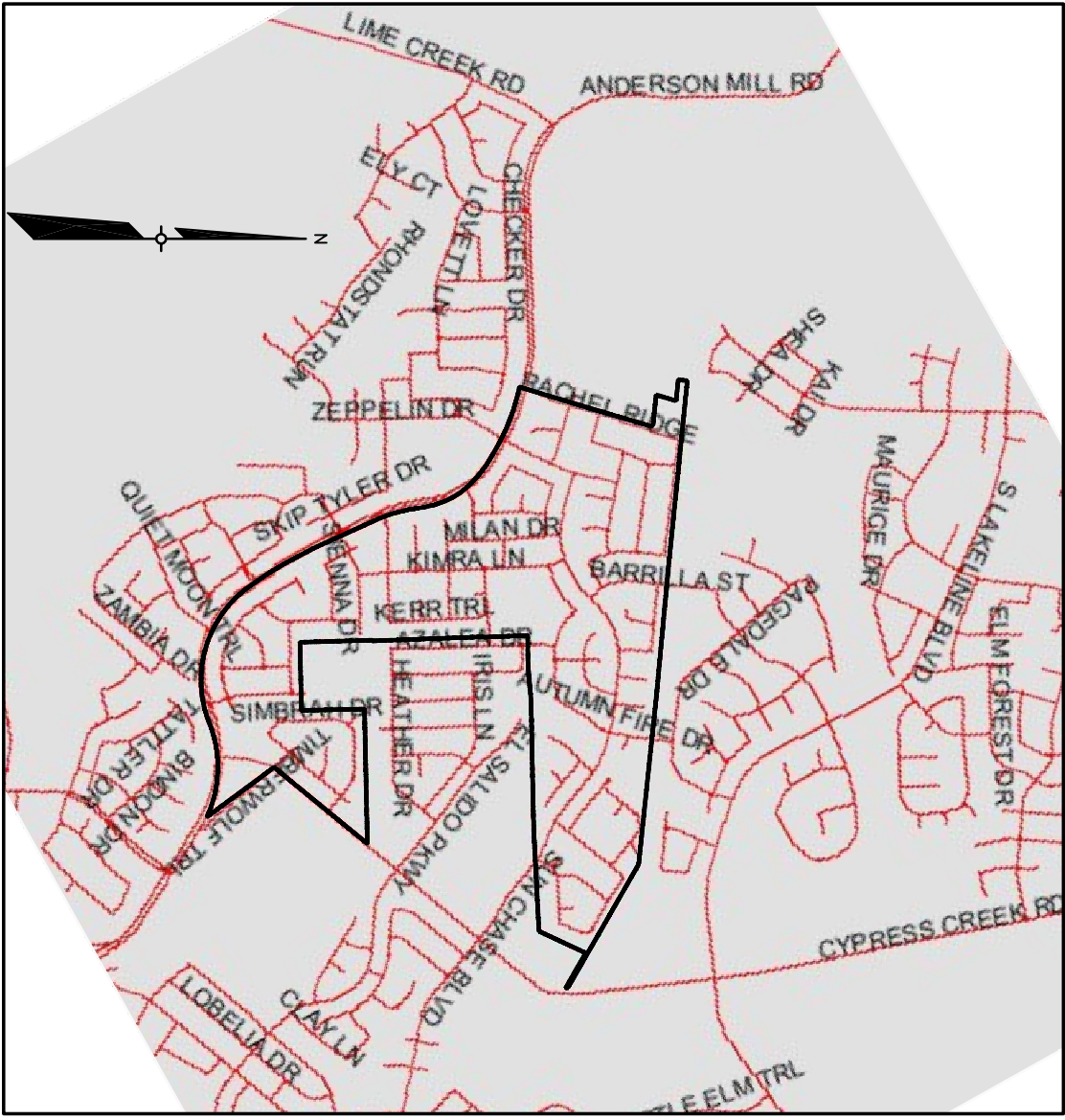
18 AC / 78 LOTS

**DRAINS
TO CYPRESS CREEK
THEN TO
BRUSHY CREEK**

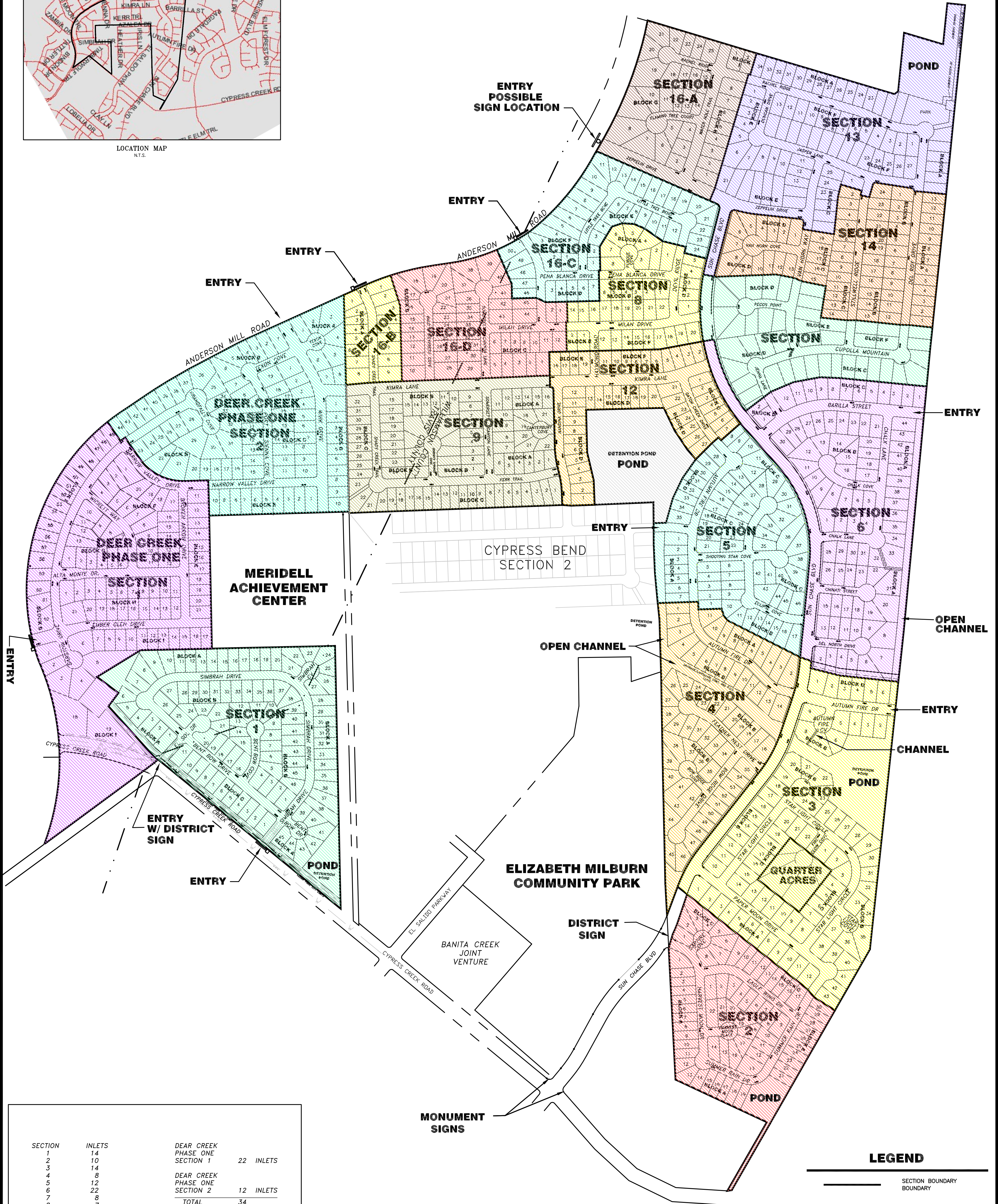
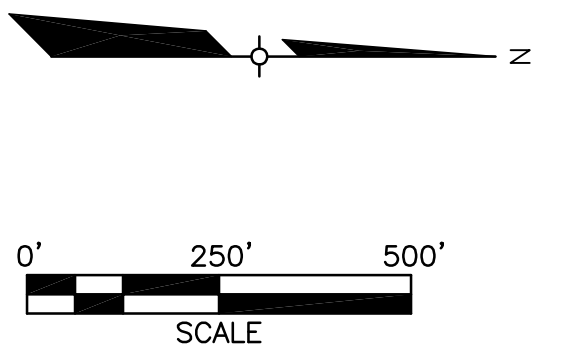
1,176 LOTS TOTAL



RIVERA ENGINEERING
TX PE Firm Registration Number F-11492
P.O. Box 90485 Austin, Texas 78709-0485
Telephone 512.999.3510



LOCATION MAP
N.T.S.



SECTION	INLETS	
1	14	
2	10	
3	14	
4	8	
5	12	
6	22	
7	8	
8	7	
9	15	
12	10	
13	20	
14	6	
16A	7	
16B	2	
16C	6	
16D	8	
TOTAL	169	

DEAR CREEK PHASE ONE SECTION 1	22	INLETS
DEAR CREEK PHASE ONE SECTION 2	12	INLETS
TOTAL	34	

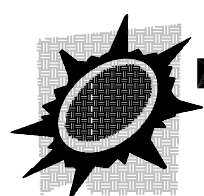
TOTAL 203

RANCH AT CYPRESS CREEK M.U.D. No. 1
DISTRICT WATERSHED MAP

LOCATION MAP - F37
N.T.S.

LEGEND

- SECTION BOUNDARY
- BOUNDARY
- EXISTING STORM DRAIN



RIVERA ENGINEERING
TX PE Firm Registration Number F-11492
P.O. Box 90485 Austin, Texas 78709-0485
Telephone 512.899.3310

EXHIBIT G

Quarterly Visual Monitoring Form

Fill out a separate form for each sample you collect (one form per outfall).

Outfall number: Section 1		Person(s) collecting /examining sample: Directors Coles and Whittington	
Quarter/year: Q4/20		Date & time collected: No collection	Date & time examined: 12/5/20, 3:00PM
Rainfall amount: 0 inches		Qualifying: Yes or <u>No</u>	Runoff source: <u>rainfall</u> or snowmelt
Parameter	Parameter Description	Parameter Characteristics	
Color	Does the water appear to be colored? <input type="checkbox"/> es <input type="checkbox"/> o	Describe: Unable to obtain sample due to drought conditions	
Clarity	Is the water clear or transparent, meaning can you see through it? <input type="checkbox"/> es <input type="checkbox"/> o	Which of the following best describes the clarity of the water? <input checked="" type="checkbox"/> Clear <input type="checkbox"/> Milky <input type="checkbox"/> opaque <input checked="" type="checkbox"/> Other (describe) <u>Unable to obtain sample due to drought conditions</u>	
Oil sheen	Can you see a rainbow effect or sheen on the water surface? <input type="checkbox"/> es <input type="checkbox"/> o	Which of the following best describes the water sheen? Unable to obtain sample due to drought conditions <input type="checkbox"/> Oily <input type="checkbox"/> Glossy <input type="checkbox"/> Iridescent	
Odor	Does the sample have an odor? <input type="checkbox"/> es <input type="checkbox"/> o	Describe: Unable to obtain sample due to drought conditions	
Floating solids	Is there something floating on the surface of the sample? <input type="checkbox"/> es <input type="checkbox"/> o	Describe: Unable to obtain sample due to drought conditions	
Suspended solids	Is there something suspended in the water column or sample? <input type="checkbox"/> es <input type="checkbox"/> o	Describe: Unable to obtain sample due to drought conditions	
Settled solids	Is there something settled at the bottom of the sample? <input type="checkbox"/> es <input type="checkbox"/> o	Describe: Unable to obtain sample due to drought conditions	
Foam	Is there foam or material forming on top of the water? <input type="checkbox"/> es <input type="checkbox"/> o	Describe: Unable to obtain sample due to drought conditions	
<p><i>Detail any concerns, corrective actions taken, and any other obvious indicators of pollution present in the sample:</i></p> <ol style="list-style-type: none"> 1. Rocks / leaves in concrete channel 2. Signage in deteriorated condition, potential re-work needed (see accompanying photo). 			
<p>Collector's signature: <u>Patrice M. Coles</u> <u>Matthew Whittington</u></p>			



Quarterly Visual Monitoring Form

Fill out a separate form for each sample you collect (one form per outfall).

Outfall number: Section 2		Person(s) collecting /examining sample: Directors Coles and Whittington	
Quarter/year: Q4/20		Date & time collected: No collection	Date & time examined: 12/5/20, 3:00PM
Rainfall amount: 0 inches		Qualifying: Yes or <u>No</u>	Runoff source: <u>rainfall</u> or snowmelt
Parameter	Parameter Description	Parameter Characteristics	
Color	Does the water appear to be colored? <input type="checkbox"/> es <input type="checkbox"/> o	Describe: Unable to obtain sample due to drought conditions	
Clarity	Is the water clear or transparent, meaning can you see through it? <input type="checkbox"/> es <input type="checkbox"/> o	Which of the following best describes the clarity of the water? <input checked="" type="checkbox"/> Clear <input type="checkbox"/> Milky <input type="checkbox"/> opaque <input checked="" type="checkbox"/> Other (describe) <u>Unable to obtain sample due to drought conditions</u>	
Oil sheen	Can you see a rainbow effect or sheen on the water surface? <input type="checkbox"/> es <input type="checkbox"/> o	Which of the following best describes the water sheen? Unable to obtain sample due to drought conditions <input type="checkbox"/> Oily <input type="checkbox"/> Glossy <input type="checkbox"/> Iridescent	
Odor	Does the sample have an odor? <input type="checkbox"/> es <input type="checkbox"/> o	Describe: Unable to obtain sample due to drought conditions	
Floating solids	Is there something floating on the surface of the sample? <input type="checkbox"/> es <input type="checkbox"/> o	Describe: Unable to obtain sample due to drought conditions	
Suspended solids	Is there something suspended in the water column or sample? <input type="checkbox"/> es <input type="checkbox"/> o	Describe: Unable to obtain sample due to drought conditions	
Settled solids	Is there something settled at the bottom of the sample? <input type="checkbox"/> es <input type="checkbox"/> o	Describe: Unable to obtain sample due to drought conditions	
Foam	Is there foam or material forming on top of the water? <input type="checkbox"/> es <input type="checkbox"/> o	Describe: Unable to obtain sample due to drought conditions	
<p><i>Detail any concerns, corrective actions taken, and any other obvious indicators of pollution present in the sample:</i></p> <ol style="list-style-type: none"> 1. Rocks present in concrete channel in detention pond. 2. Signage in deteriorated condition, potential re-work needed (see accompanying photo). 			
<p>Collector's signature: <u>Patrice M. Coles</u> <u>Matthew Whittington</u></p>			



Quarterly Visual Monitoring Form

Fill out a separate form for each sample you collect (one form per outfall).

Outfall number: Section 3		Person(s) collecting /examining sample: Directors Coles and Whittington	
Quarter/year: Q4/20		Date & time collected: No collection	Date & time examined: 12/5/20, 3:00PM
Rainfall amount: 0 inches		Qualifying: Yes or <u>No</u>	Runoff source: <u>rainfall</u> or snowmelt
Parameter	Parameter Description	Parameter Characteristics	
Color	Does the water appear to be colored? <input type="checkbox"/> es <input type="checkbox"/> o	Describe: Unable to obtain sample due to drought conditions	
Clarity	Is the water clear or transparent, meaning can you see through it? <input type="checkbox"/> es <input type="checkbox"/> o	Which of the following best describes the clarity of the water? <input checked="" type="checkbox"/> Clear <input type="checkbox"/> Milky <input type="checkbox"/> opaque <input checked="" type="checkbox"/> Other (describe) <u>Unable to obtain sample due to drought conditions</u>	
Oil sheen	Can you see a rainbow effect or sheen on the water surface? <input type="checkbox"/> es <input type="checkbox"/> o	Which of the following best describes the water sheen? Unable to obtain sample due to drought conditions <input type="checkbox"/> Oily <input type="checkbox"/> Glossy <input type="checkbox"/> Iridescent	
Odor	Does the sample have an odor? <input type="checkbox"/> es <input type="checkbox"/> o	Describe: Unable to obtain sample due to drought conditions	
Floating solids	Is there something floating on the surface of the sample? <input type="checkbox"/> es <input type="checkbox"/> o	Describe: Unable to obtain sample due to drought conditions	
Suspended solids	Is there something suspended in the water column or sample? <input type="checkbox"/> es <input type="checkbox"/> o	Describe: Unable to obtain sample due to drought conditions	
Settled solids	Is there something settled at the bottom of the sample? <input type="checkbox"/> es <input type="checkbox"/> o	Describe: Unable to obtain sample due to drought conditions	
Foam	Is there foam or material forming on top of the water? <input type="checkbox"/> es <input type="checkbox"/> o	Describe: Unable to obtain sample due to drought conditions	
Detail any concerns, corrective actions taken, and any other obvious indicators of pollution present in the sample:			
Collector's signature: <u>Patrice M. Coles</u> <u>Matthew Whittington</u>			

Quarterly Visual Monitoring Form

Fill out a separate form for each sample you collect (one form per outfall).

Outfall number: Section 12		Person(s) collecting /examining sample: Directors Coles and Whittington	
Quarter/year: Q4/20		Date & time collected: No collection	Date & time examined: 12/5/20, 3:00PM
Rainfall amount: 0 inches		Qualifying: Yes or <u>No</u>	Runoff source: <u>rainfall</u> or snowmelt
Parameter	Parameter Description	Parameter Characteristics	
Color	Does the water appear to be colored? <input type="checkbox"/> es <input type="checkbox"/> o	Describe: Unable to obtain sample due to drought conditions	
Clarity	Is the water clear or transparent, meaning can you see through it? <input type="checkbox"/> es <input type="checkbox"/> o	Which of the following best describes the clarity of the water? <input checked="" type="checkbox"/> Clear <input type="checkbox"/> Milky <input type="checkbox"/> opaque <input checked="" type="checkbox"/> Other (describe) <u>Unable to obtain sample due to drought conditions</u>	
Oil sheen	Can you see a rainbow effect or sheen on the water surface? <input type="checkbox"/> es <input type="checkbox"/> o	Which of the following best describes the water sheen? Unable to obtain sample due to drought conditions <input type="checkbox"/> Oily <input type="checkbox"/> Glossy <input type="checkbox"/> Iridescent	
Odor	Does the sample have an odor? <input type="checkbox"/> es <input type="checkbox"/> o	Describe: Unable to obtain sample due to drought conditions	
Floating solids	Is there something floating on the surface of the sample? <input type="checkbox"/> es <input type="checkbox"/> o	Describe: Unable to obtain sample due to drought conditions	
Suspended solids	Is there something suspended in the water column or sample? <input type="checkbox"/> es <input type="checkbox"/> o	Describe: Unable to obtain sample due to drought conditions	
Settled solids	Is there something settled at the bottom of the sample? <input type="checkbox"/> es <input type="checkbox"/> o	Describe: Unable to obtain sample due to drought conditions	
Foam	Is there foam or material forming on top of the water? <input type="checkbox"/> es <input type="checkbox"/> o	Describe: Unable to obtain sample due to drought conditions	
<p><i>Detail any concerns, corrective actions taken, and any other obvious indicators of pollution present in the sample:</i></p> <p>1. Graffiti on signs near Azalea Drive, re-work needed</p>			
<p>Collector's signature: <i>Patrice M. Coles</i> <i>Matthew Whittington</i></p>			







Quarterly Visual Monitoring Form

Fill out a separate form for each sample you collect (one form per outfall).

Outfall number: Section 13		Person(s) collecting /examining sample: Directors Coles and Whittington	
Quarter/year: Q4/20		Date & time collected: No collection	Date & time examined: 12/5/20, 3:00PM
Rainfall amount: 0 inches		Qualifying: Yes or <u>No</u>	Runoff source: <u>rainfall</u> or snowmelt
Parameter	Parameter Description	Parameter Characteristics	
Color	Does the water appear to be colored? <input type="checkbox"/> es <input type="checkbox"/> o	Describe: Unable to obtain sample due to drought conditions	
Clarity	Is the water clear or transparent, meaning can you see through it? <input type="checkbox"/> es <input type="checkbox"/> o	Which of the following best describes the clarity of the water? <input checked="" type="checkbox"/> Clear <input type="checkbox"/> Milky <input type="checkbox"/> opaque <input checked="" type="checkbox"/> Other (describe) <u>Unable to obtain sample due to drought conditions</u>	
Oil sheen	Can you see a rainbow effect or sheen on the water surface? <input type="checkbox"/> es <input type="checkbox"/> o	Which of the following best describes the water sheen? Unable to obtain sample due to drought conditions <input type="checkbox"/> Oily <input type="checkbox"/> Glossy <input type="checkbox"/> Iridescent	
Odor	Does the sample have an odor? <input type="checkbox"/> es <input type="checkbox"/> o	Describe: Unable to obtain sample due to drought conditions	
Floating solids	Is there something floating on the surface of the sample? <input type="checkbox"/> es <input type="checkbox"/> o	Describe: Unable to obtain sample due to drought conditions	
Suspended solids	Is there something suspended in the water column or sample? <input type="checkbox"/> es <input type="checkbox"/> o	Describe: Unable to obtain sample due to drought conditions	
Settled solids	Is there something settled at the bottom of the sample? <input type="checkbox"/> es <input type="checkbox"/> o	Describe: Unable to obtain sample due to drought conditions	
Foam	Is there foam or material forming on top of the water? <input type="checkbox"/> es <input type="checkbox"/> o	Describe: Unable to obtain sample due to drought conditions	
Detail any concerns, corrective actions taken, and any other obvious indicators of pollution present in the sample: 1. 'No Dumping' sign missing			
Collector's signature: <u>Patrice M. Coles</u> <u>Matthew Whittington</u>			







EXHIBIT G.1

SECTION 1

Facilities	<u>Detention Pond</u>	<u>Major Outfall</u>	<u>Internal Outfall</u>	<u>Trickle Channel</u>	<u>Concrete Drainage Flume</u>
Date Inspected	12/12/2020	12/20/2020	12/20/2020	12/20/2020	
Status of Facility		Rocks in outfall		Silt and chipseal in trickle channel; significant buildup of silt along edges of channel; removal recommended by engineer	
Follow up actions taken					

SECTION 2

Facilities	<u>Detention Pond</u>	<u>Major Outfall</u>	<u>Pipe Culvert</u>	<u>Trickle Channel</u>
Date Inspected	12/12/2020	12/20/2020	12/20/2020	12/20/2020
Status of Facility				Silt and chipseal in trickle channel; slight buildup of silt along edges of channel
Follow up actions taken				

Section 3

Facilities	<u>Autumn Fire Pipe Culvert</u>	<u>Detention Pond</u>	<u>Major Outfall</u>	<u>Internal Outfall</u>	<u>Trickle channel</u>	<u>Pilot channel with concrete spillway</u>
Date Inspected	12/12/2020	12/12/2020	12/12/2020	12/12/2020	12/20/2020	12/20/2020
Status of Facility	Erosion on side of channel near culvert	Houses in area backing up to detention pond lack adequate fencing on both sides of pond;	Trash in outlet; broken energy dissipaters; fencing missing on both sides.		Chip seal and leaves in trickle channel	
Follow up actions taken						

Section 4

Facilities

Drainage **Channel**

Date Inspected

12/12/2020

Status of Facility

Vegetation needs to be cut
back; trash in channel;
graffiti; remove tree
growing in concrete; silt
removal needed

Follow up actions taken

Section 5

Facilities	<u>Section 5 Pipe Culvert</u>	<u>Drainage Channel</u>
Date Inspected	12/12/2020	12/12/2020
Status of Facility	Tree over grown in area; slight cracking in concrete	Brush and Silt removal needed; drainage from residence outside of the District noted (Cypress Bend);
Follow up actions taken		

Section 6

Facilities	<u>Drainage</u>
	<u>Channel</u>

Date Inspected	12/12/2020
Status of Facility	Rocks, trash and silt in channel; erosion of sides in certain areas; possible pool drainage into channel just near culvert

Follow up actions taken

Section 12

Facilities	<u>Section 12 Pipe Culvert</u>	<u>Detention Pond</u>	<u>Outlet into Pond</u>	<u>Two internal outfalls</u>	<u>Trickle channel</u>
Date Inspected	12/12/2020	12/12/2020	12/12/2020	12/12/2020	12/20/2020
Status of Facility	Serious graffiti; slight cracking in concrete;	Houses in area backing up to detention pond lack adequate fencing (5 houses); silt and trash in pond	Trash in outlet	Trash in outfalls; lots of rocks; erosion around outfall on Kimra	Chip seal in trickle channel
Follow up actions taken					

Section 13

Facilities	<u>Detention Pond</u>	<u>Major Outfall</u>	<u>Internal outfall into pond (grate covering outfall)</u>	<u>Trickle Channel</u>
Date Inspected	12/12/2020	12/20/2020	12/20/2020	
Status of Facility	Silt, chip seal in pond	fencing and trash in channel leading to City property; concrete eroded in areas; slight cracking		
Follow up actions taken				

EXHIBIT H

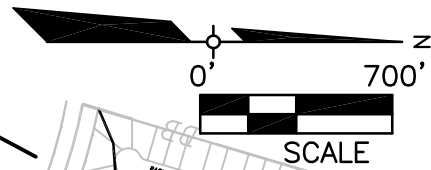
DISTRICT FACILITIES

- 1 - SECTION 3 DETENTION POND
 - 2 - SECTION 12 DETENTION POND
 - 3 - SECTION 5 CHANNEL
 - 4 - SECTION 4 CHANNEL
 - 5 - SECTION 2 DETENTION POND
 - 6 - SECTION 1 DETENTION POND
 - 7 - SECTION 13 DETENTION POND
 - 8 - SECTION 6 CHANNEL
- A - INTERNAL CONC. HEADWALL

LEGEND

DISTRICT BOUNDARY

DB

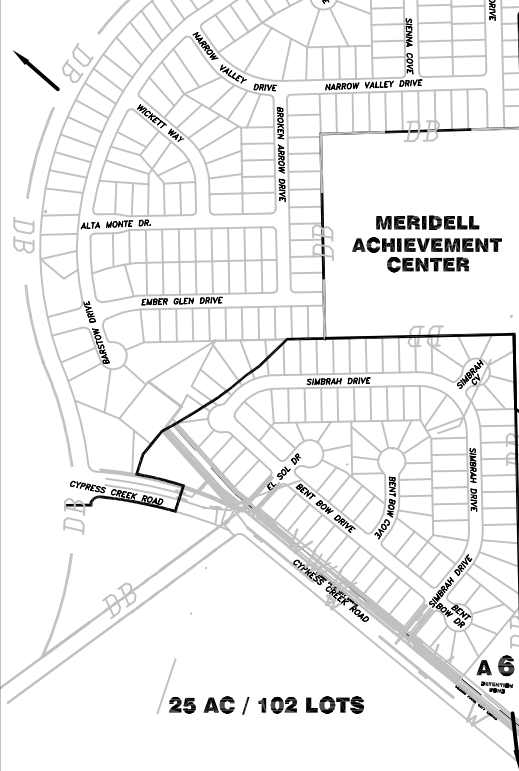


**DRAINS
TO BUTTERCUP
CREEK THEN TO
BRUSHY CREEK**

LAKE TRAVIS WATERSHED

220 LOTS

**DRAINS
TO
LAKE TRAVIS**



25 AC / 102 LOTS

BUTTERCUP CREEK WATERSHED

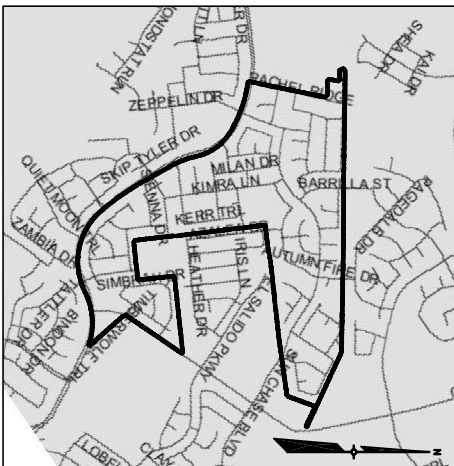
70 AC

20 AC

**ELIZABETH MILBURN
COMMUNITY PARK**

BANITA CREEK
JOINT
VENTURE

**DRAINS
TO CYPRESS CREEK
THEN TO
BRUSHY CREEK**



LOCATION MAP
N.T.S.

RANCH AT CYPRESS CREEK M.U.D. No. 1
DISTRICT WATERSHED & FACILITIES MAP

32 AC / 160 LOTS

290 AC / 616 LOTS
(+ PO AC OFFICE)

**DRAINS
TO BUTTERCUP
CREEK THEN TO
BRUSHY CREEK**

18 AC / 78 LOTS

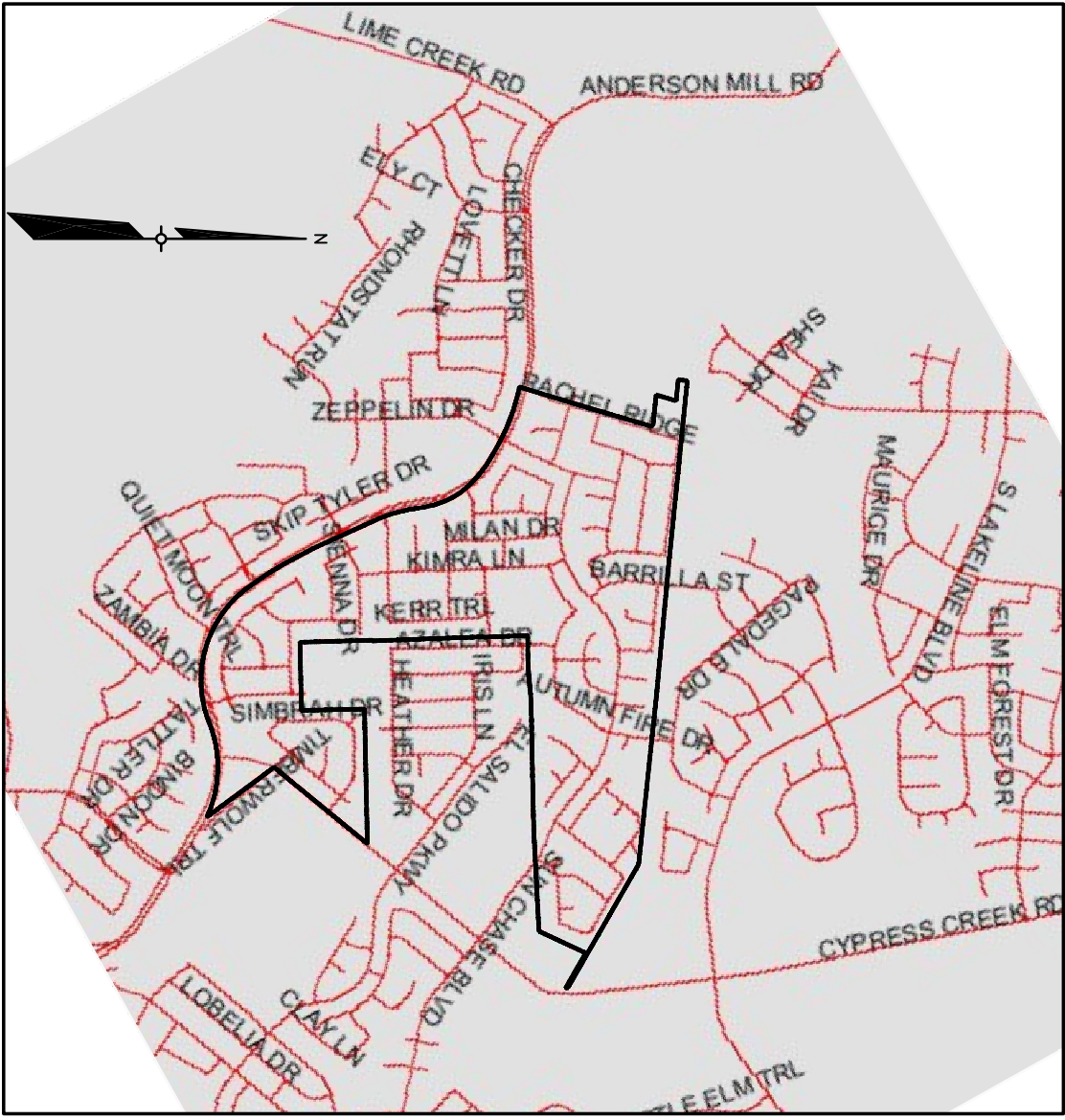
**DRAINS
TO CYPRESS CREEK
THEN TO
BRUSHY CREEK**

1,176 LOTS TOTAL

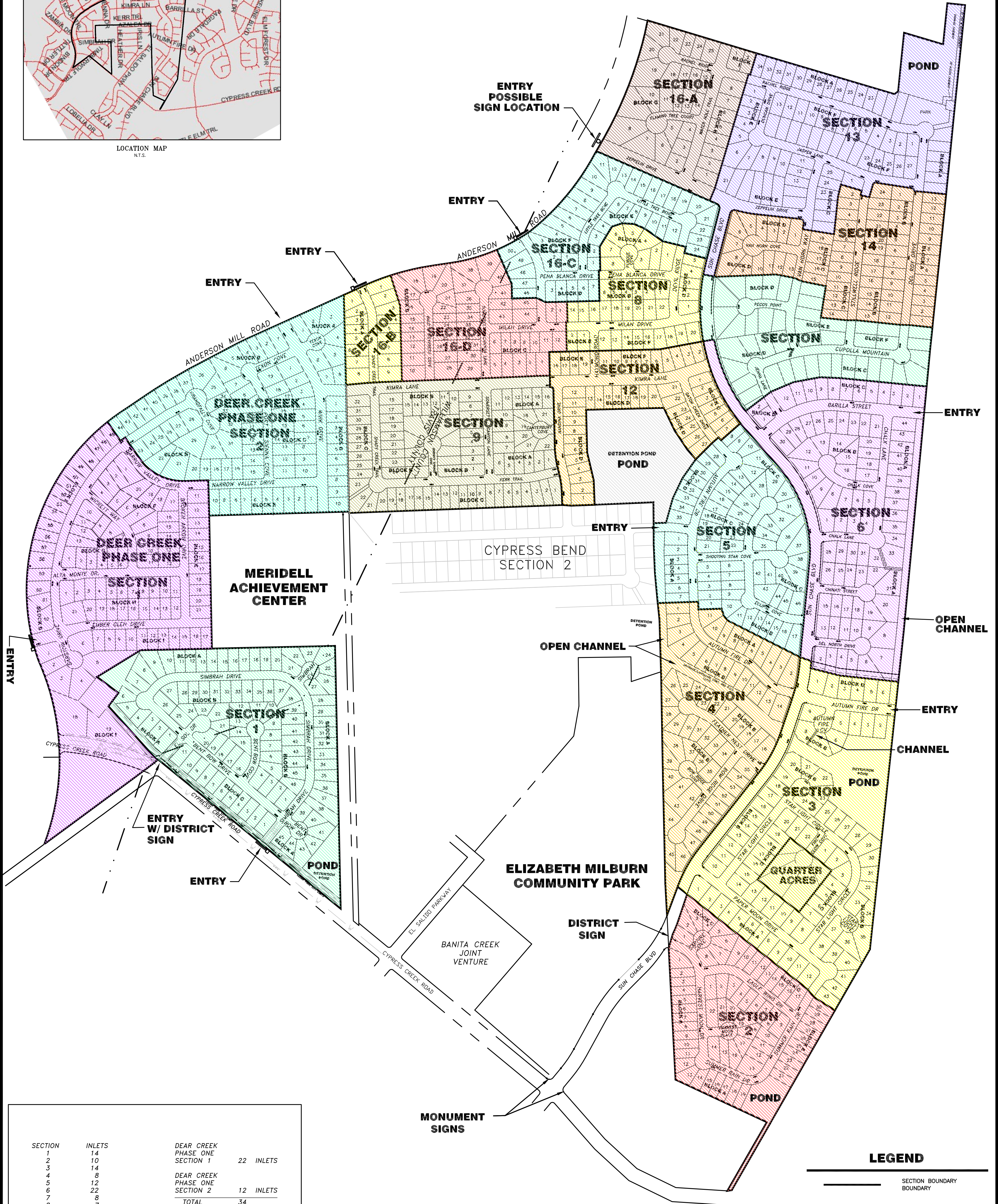
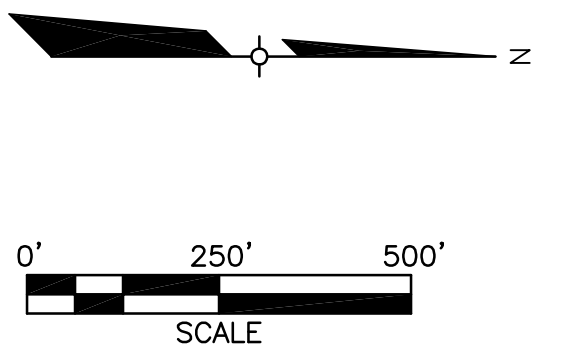


RIVERA ENGINEERING
TX PE Firm Registration Number F-11492
P.O. Box 90485 Austin, Texas 78709-0485
Telephone 512.999.3510

EXHIBIT H.1



LOCATION MAP
N.T.S.



SECTION	INLETS	
1	14	
2	10	
3	14	
4	8	
5	12	
6	22	
7	8	
8	7	
9	15	
12	10	
13	20	
14	6	
16A	7	
16B	2	
16C	6	
16D	8	
TOTAL	169	

DEAR CREEK PHASE ONE SECTION 1	22	INLETS
DEAR CREEK PHASE ONE SECTION 2	12	INLETS
TOTAL	34	

TOTAL 203

RANCH AT CYPRESS CREEK M.U.D. No. 1
DISTRICT WATERSHED MAP

LOCATION MAP - F37
N.T.S.

LEGEND

- SECTION BOUNDARY
- BOUNDARY
- EXISTING STORM DRAIN

RIVERA ENGINEERING
TX PE Firm Registration Number F-11492
P.O. Box 90485 Austin, Texas 78709-0485
Telephone 512.899.3310

EXHIBIT I

LANDSCAPE MAINTENANCE AGREEMENT

This Landscape Maintenance Agreement (this "Contract") is entered into effective as of January 1, 2013, between BrightView Landscape Services, Inc, a Texas corporation ("Contractor") located at 12909 Dessau Rd. Austin, TX 78754, and Ranch at Cypress Creek Municipal Utility District No.1, a political subdivision of the State of Texas operating under Chapters 49 and 54 of the Texas Water Code (the "District"). In consideration of the mutual covenants set forth in this Contract and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties agree as follows:

ARTICLE

I

SERVICES

A. Landscape Maintenance Services. The Contractor agrees to perform landscape maintenance services as described in this Agreement to:

1. Landscaped Entryways and Greenbelts. The Landscaped Entryways and Greenbelts subject to this Agreement are as shown in green on the attached Exhibit "A" Landscape Maintenance Map; and

2. Public Utility/Drainage Easements and Section One Park. The public utility and drainage easements and Section One Park subject to this Agreement are as shown in red on the attached Exhibit "A" Landscape Maintenance Map.

3. Appearance. The Entryways, Greenbelts, Trees, Shrubs, Plants, and Turf areas must have a neat, orderly, clean, healthy, and manicured appearance at all times in relation to the scheduled visits. Services are to be performed year-round, with appropriate tasks scheduled and performed during each site visit and each season.

B. Routine Services. The Contractor agrees to perform all of the services described in Section I of Exhibit "B" and as outlined in Exhibit "B-1" to the Entryways, Greenbelts, Shrubs, Trees, Plants and Turf areas per the scheduled visits. The Contractor will inspect these areas each visit and will mow and perform maintenance tasks as necessary to maintain a neat, orderly, clean, healthy, and manicured appearance.

C. Other Routine Services. The Contractor agrees to perform all of the services described in Section II of Exhibit "B" to the Easements and Section One Park per scheduled visits.

D. Coordination with Manager; Reports; Meeting Attendance. The Contractor will schedule periodic on-site inspections with the District's general manager in order to review the overall appearance of the areas covered by this Contract, and to plan for any additional work or changes to the maintenance schedule. The Contractor must send a representative to a regular meeting of the Board at least once every quarter, and to other Board meetings and subcommittee

meetings upon request. The Contractor must submit written maintenance reports, in the form attached as Exhibit "C" on a monthly basis. Reports must be submitted, in care of the District's attorney, at least seven days prior to the date of each regularly scheduled Board meeting. The contractor will send a routine email update of highlights to the Board members, District Attorney, and District Manager.

E. Annual Budget Forecast. On or before August 1st of each year, the Contractor must provide the District's Landscape Committee with a written budget for landscape maintenance for the following year. This budget will include recommendations for improvements or changes to the existing maintenance schedule.

F. Supervision. The Contractor must provide adequate supervision to assure that all work is done in accordance with this Contract and generally accepted good horticultural practice. The areas covered by this Contract must be inspected by supervisory personnel routinely.

G. Additional Services. All work outside the express terms of this Contract must have the prior written approval of the Board. Any proposals for additional work must be submitted to the District, in care of the District's attorney, at least seven days prior to the date of each regularly scheduled Board of Directors meeting. Charges for additional work must be approved by the Board prior to commencement of the work.

ARTICLE II COMPENSATION

A. Fees for Services.

1. Contractor's services for maintenance of the Entryways (Entry) based on 42 visits per year for maintenance of the Easements, and Park based (Easements) on 14 visits per year, will be provided for a total fee of \$41,678.40 per year which is \$3,473.20 per month. Additional visits will be \$2,722.46 for Entry and \$750.73 for easements, invoiced separately on an as-requested basis.

2. The parties agree that the fees, performance and necessary services shall be reviewed annually and they shall be adjusted for service changes, if any, as well as for inflation or deflation according to justifiable changes that are agreed to by both parties. The maximum amount the base fee can be adjusted in any one year is three percent (3%).

B. Invoicing. All invoices for services must be submitted to the District by the 2nd Thursday of each month. The District will pay each monthly invoice within 10 days of the date of the regular monthly Board meeting at which the invoice is approved.

ARTICLE III INSURANCE

The Contractor must carry adequate workmen's compensation, employee's liability and property damage insurance and furnish the District with certificates of insurance evidencing coverage prior to the effective date of this Contract. The Contractor must maintain this insurance in effect at all times during the term of this Contract, and the certificates of insurance must provide that the coverage may not be canceled without 30-days' prior written notice to the District. Insurance must be in at least the following amounts:

- | | | |
|----|----------------------------------|--------------------------|
| 1. | General liability per occurrence | \$ 300,000 |
| 2. | Property damage per occurrence | \$ 300,000 |
| 3. | Umbrella liability | \$1,000,000 |
| 4. | Workmen's compensation | As required by state law |

ARTICLE IV MISCELLANEOUS

A. Term. Subject to Section B, below, Contract will commence on July 1, 2018 and remain in effect until June 30, 2019. The Contractor may terminate this Contract by giving 90 days' prior written notice to the District. The District may terminate this Contract at any time by giving 90 days' notice of termination to the Contractor.

B. Annual Review. This Contract will be reviewed annually by the Contractor and the District. Any mutually acceptable changes to reflect changes in costs and/or services will be incorporated into this Contract by written amendment. If the parties are unable to agree on any changes, either party may terminate this Contract subject to the notice required above.

C. Assignment. This Contract may not be assigned by either party without the prior written consent of the other party.

D. Applicable Law. This Contract will be construed under and in accordance with the laws of the State of Texas, and all obligations of the parties created hereunder are performable in Williamson and Travis Counties, Texas.

E. Binding Effect. This Contract will be binding upon and inure to the benefit of the parties and their respective heirs, executors, administrators, legal representatives, successors and assigns where permitted by this Contract.

F. Partial Invalidity. If any of the provisions of this Contract are for any reason held to be invalid, illegal, or unenforceable, that invalidity, illegality, or unenforceability will not

affect any other provision and this Contract will be construed as if the invalid, illegal, or unenforceable provision had never been contained herein.

G. Sole Agreement. This Contract constitutes the sole agreement of the parties and supersedes any prior understandings or written or oral agreements between the parties respecting the subject matter.

H. Notice. Any notice, communication, request, reply or advice (severally and collectively referred to as "Notice") in this Contract provided or permitted to be given, made or accepted by any party to the other must be in writing. Notice may, unless otherwise provided herein, be given or served: (i) by depositing the Notice in the United States Mail, postage paid, certified, and addressed to the party to be notified with return receipt requested; or (ii) by delivering the Notice to the party, or an agent of the party. Notice deposited in the mail in the manner specified will be effective three days after such deposit. Notice given in any other manner will be effective only if and when received by the party to be notified. For the purposes of notice, the addresses of the parties will, until changed as provided below, be as follows:

The parties may change their respective addresses for purposes of notice by giving at least five days written notice of the new address to the other party. If any date or any period provided in this Contract ends on a Saturday, Sunday or legal holiday, the applicable period will be extended to the next business day.

I. Default. If either party defaults in the performance of its obligations hereunder for any reason, the other party will be entitled to pursue all remedies available at law or in equity. In the event of any lawsuit based on this Contract, the prevailing party will be entitled to recover reasonable attorneys' fees and related costs.

J. Exhibits. The following exhibits are attached to this Contract, and are incorporated into and made a part of this Contract for all purposes:

<u>Exhibit "A":</u>	Depiction of areas to be maintained
<u>Exhibit "B":</u>	Description of required landscape maintenance services
<u>Exhibit "B-1":</u>	Greener Grounds Maintenance Program
<u>Exhibit "C":</u>	Monthly report form

(signature pages follow)

IN WITNESS WHEREOF, the parties have executed this Contract to be effective as of the date first written above.

corporation

BrightView Landscape Services, Inc. , a
Texas



By: _____

Thomas Wood, ~~President~~ Vice President & GM

Address: Central Texas

**RANCH AT CYPRESS CREEK
MUNICIPAL UTILITY DISTRICT NO. 1**

Troy Fielding, President

By: Board of Directors

Address: Phil Haag
600 Congress Ave, Ste 2100
Austin, Texas 78701

ATTEST:

Hugh Rankin, Secretary
Board of Directors

Ranch at Cypress Creek MUD
Landscape Maintenance Map – Exhibit “A”
 January 1, 2013

Entryway & Greenbelts – 42 Annual Services
 Public Utility/Drainage Easements &
 Section One Park – 14 Annual Services

RANCH @ CYPRESS CREEK
MUNICIPAL UTILITY DISTRICT No.1
 CEDAR PARK, TEXAS 78613

DISTRICT LAND USE MAP

RIVERA ENGINEERING
 1101 E. 17th Street, Suite 100
 Cedar Park, TX 78613
 Phone: 512.221.1101
 Fax: 512.221.1102

EXHIBIT "B"
DESCRIPTION OF REQUIRED LANDSCAPE MAINTENANCE SERVICES

SECTION I
ROUTINE SERVICES

A. GENERAL

1. Application of Chemicals.
 - a. Application of chemicals may be made only under supervision of a Texas Structural Pest Control Board or Texas Department of Agriculture certified pesticide applicator or by a Structural Pest Control Board technician holding a current license in lawn, garden and weed control. The contractor's insurance coverage must meet current Structural Pest Control Board requirements. Chemicals are only to be used only when necessary and the least toxic chemicals that will do the job should be used. Restricted use pesticides must not be used under any circumstance.
 - b. The District's first choice is the use of organic, natural, and organic based fertilizers and pest control where reasonably applicable. All pesticides and fertilizers must be applied strictly in accordance with the manufacturer's written directions.
2. Replacement of Dead or Missing Plant Materials. The contractor must notify the Board of Directors of any dead or missing plant materials. The notice is to be accompanied by a written estimate of the cost of replacement. All dead plant materials must be immediately removed by the contractor.
3. Equipment. All equipment must be maintained in excellent operating condition at all time. All OSHA safety devices must be in place and in operating condition. Gas cans must be OSHA-approved safety cans. Trucks, tractors, mowers, trimmers, blowers and other equipment must not leak oil or fuel.
4. Other. Work around pedestrian areas must be performed with minimal interruption to people and with extreme care. Mowers used for maintenance of Public Utility and/or Drainage Easement areas may not be used for maintenance of the Entryways.
5. Greener Grounds Maintenance. The District desires to maintain the landscape according to the principles outlined in Exhibit "B-1" – Greener Grounds Maintenance Program.

B. MATERIALS

1. Water. A reliable source of water will be furnished by the District.
2. Fertilizer. The contractor will provide organic, natural, or organic based fertilizer or its equivalent as approved by the Board of Directors for turf and beds.

Additional fertilizer needs will be determined by routine visual inspection of plant health.

3. Mulch. The contractor will provide "Gardenville shredded hardwood" mulch or its equivalent as approved by the Board of Directors.
4. Plant Materials. All plant materials provided by the Contractor must be #1 quality in size, health and appearance as defined by the American Nurserymen's Standards. Plant material must be dense and uniform in appearance and free from insects and disease.

C. PERFORMANCE

1. Turf Areas.
 - a. Mow and edge as necessary to maintain a manicured look.
 - b. Not more than 1/3 of the above-ground grass leaf blade is to be removed. All mower blades must be kept sharp, balanced and level.
 - c. Apply specified fertilizer 3 times per year: spring, summer and fall, applying at the labeled rate of application. Water turf thoroughly after application to move fertilizer into the soil.
 - d. Manually and mechanically control weeds as necessary to maintain a manicured appearance. In cases of extraordinary weed problems, spot-treat weeds with appropriate herbicide.
 - e. Control common turf pests and disease including ants, caterpillars, chinch bugs and brown patch.
 - f. Fire ants must be controlled in all turf, landscaped and paved areas with applications of "Logic" or its equivalent in the spring and fall, or board may approve different application materials upon request. Additional spot treatment of fire ants will be made during routine visits in areas of pedestrian use.
 - g. Release Ladybugs in perennial planting each spring to control aphids and similar insect pests.

2. Shrubs and Ground Cover Beds.

- a. Manually remove weeds as necessary to maintain a manicured appearance. In cases of extraordinary weed problems, spot treat weeds with an appropriate herbicide.
- b. Apply specified fertilizer 2 times per year; spring, summer and fall, applying at the labeled rate of application. Water beds after application to move fertilizer into the root zone.
- c. Prune shrubs as necessary to maintain a uniform appearance. Keep ground cover within borders. Prune all flowering plants after blooming.
- d. Inspect routinely for pests and treat with insecticide and fungicide as necessary.
- e. Maintain mulch in all planting beds and tree rings by applying 1,425 – 2 cubic bags of shredded hardwood mulch once per year.
- f. Apply lite dormant oil, sun oil, or seaweed extract spray once per year in January or February to all crepe myrtles, mountain laurels, yaupon holly and other shrubs as required.

3. Trees.

- a. Prune 10" caliper and smaller trees annually during dormant periods to remove dead, diseased and broken limbs and sucker growth; improve visibility, maintain pedestrian safety and reduce traffic hazards.
- b. Oak trees must not be pruned during the months of March, April, May or June. All tree pruning must follow current arboreal and horticultural practices. Trees must not be top pruned under any circumstance.
- c. Maintain trees relatively free of vines, weeds, moss and parasitic plant material.
- d. Provide tree rings containing a 2" layer of mulch around trees 10" in caliper and smaller. Manually keep tree rings free of weeds.
- e. Any insect or disease infestations, as well as other damage such as that caused by lightning or vehicles, will be reported to the Board of Directors immediately. Dead limbs and dead trees resulting from ordinary causes will be removed by the contractor as part of its basic services and the removal reported to the Board. In the event of widespread dead limbs or dead trees due to extraordinary causes such as fire, severe wind storms, tornado or flood, the contractor will be entitled to additional compensation for the necessary tree limb and tree removal; however, that compensation

will be subject to prior approval by the Board before any work is performed.

4. Irrigation and Watering. (Entryways)

- a. Water as needed to promote healthy deep-rooted plant growth, without causing excessive runoff.
- b. Adjust the controller for major seasonal changes and site conditions. Turf must receive 1" of water per week and other landscape areas 2/3" of water per week.
- c. Monitor and adjust controller, valves, and heads routinely to ensure a proper watering irrigation system; keep valve boxes covered and in a safe condition. Perform a 2-minute irrigation check and report on the condition of equipment, including controllers, monthly.
- d. Repair immediately, at no additional cost to the District, any damage caused to the irrigation system by the contractor. Report any damage, deficiencies or problems caused by others to the District's general manager immediately and to the Board of Directors at the next Board meeting.
- e. Meet all applicable guidelines with respect to water rationing. The contractor will not be held responsible for plant loss due to water restrictions.
- f. The irrigation system shall be winterized and turned-off during freezing weather.

6. Trash and Litter Removal.

- a. Remove all trash and litter from all turf and landscaped areas during each maintenance visit, and remove it from the District.
- b. Immediately clean-up all debris resulting from any landscape maintenance work and remove it from the District.

7. Walks, Parking Lots and Trails. Manually control weeds at parking lot perimeters, sidewalks, curb and gutter joints and pavement cracks. In extreme periods of weed growth, use selective herbicide.

SECTION II MONTHLY SERVICES

A. **GENERAL**

1. Equipment. All equipment must be maintained in excellent operating condition at all time. All OSHA safety devices must be in place and in operating condition. Gas cans must be OSHA-approved safety cans. Trucks, tractors, mowers, trimmers, blowers and other equipment must not leak oil or fuel.
2. Other. Work around pedestrian areas must be performed with minimal interruption to people and with extreme care.

B. **PERFORMANCE**

1. Turf Areas.
 - a. Mow all areas as necessary to maintain a manicured look.
 - b. Not more than 1/3 of the above-ground grass leaf blade is to be removed. All mower blades must be kept sharp, balanced and level.
 - c. Fire ants must be controlled in all turf, landscaped and paved areas with applications of "Logic" or its equivalent in the spring and fall. Additional spot treatment of fire ants will be made during routine visits in areas of pedestrian use.
2. Trash and Litter Removal.
 - a. Pick up all trash and litter from maintained areas during each maintenance visit, and remove it from the District.
 - b. Immediately clean-up all debris resulting from any landscape maintenance work and remove it from the District.
3. Walks, Parking Lots and Trails. Manually control weeds at parking lot perimeters, sidewalks, curb and gutter joints and pavement cracks.



EXHIBIT "B-1" GREENER GROUNDS MAINTENANCE PROGRAM

Greener Grounds Maintenance Program Outline

EXHIBIT "B1" - April 16, 2018 Renewal

Property Address: Ranch@Cypress Creek MUD

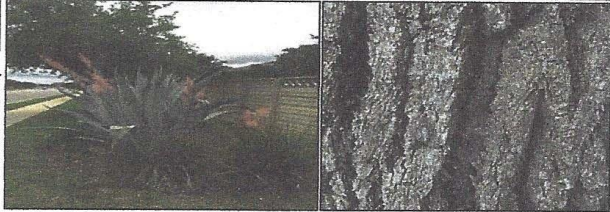


Owner /Agent Name:

Basic Maintenance Services	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Totals
Visits per Month	2	2	4	4	5	4	5	4	4	4	2	2	42
TASKS													
Site inspection & priority setting by management	2	2	4	4	5	4	5	4	4	4	2	2	42
Irrigated Turf mowing	2	2	4	4	5	4	5	4	4	4	2	2	42
Edging (curbs & sidewalks)	2	2	4	4	5	4	5	4	4	4	2	2	42
Line-trimming (tree wells & beds)	2	2	4	4	5	4	5	4	4	4	2	2	42
Weed control (curbs, sidewalks and beds)	2	2	4	4	5	4	5	4	4	4	2	2	42
Bed maintenance (pruning and weeding)	2	2	4	4	5	4	5	4	4	4	2	2	42
Trim and prune ground cover (as needed)	2	2	4	4	5	4	5	4	4	4	2	2	42
Litter removal (litter, limbs & leaves)	2	2	4	4	5	4	5	4	4	4	2	2	42
IPM - Pest, disease & horticulture inspection	2	2	4	4	5	4	5	4	4	4	2	2	42
Spring Ladybug release - beneficial insects			1	1									1
Organic based fertilization - beds			1	1		1			1				3
Organic based fertilization - trees			1										1
Organic based fertilization - turf				1		1		1					3
Turn mulch in beds and tree rings								1					1
Clearance landscape tree pruning to 8'	1	1	1	1	1	1	1	1	1	1	1	1	12
Basic landscape tree pruning <10" caliper trees	1							1					2
Pruning - shrubs & hedges (growing & winter cutbacks)	1	1	1	1	1	1	1	1	1	1	1	1	12
Texas Two Step Fire Ant Program (Award 2x/yr + mounds)					1			1					2
Final Site clean-up (grass and debris pick-up)	2	2	4	4	5	4	5	4	4	4	2	2	42
Irrigation system checks		1	1	1	1	1	1	1	1	1	1		10
Shredded Hardwood Mulch Installed (1425 2cf bags)			1										1
Easements and Parks Turf Mowing and Trimming	1		1	2	2	2	1	1	2	1	1		14
Optional / Billable Services													
Irrigation Repairs - \$65.00 per hour + parts													

EXHIBIT "C" MONTHLY REPORT FORM



EXHIBIT "C" MONTHLY REPORT FORM

MONTHLY REPORT		<i>Ranch at Cypress Creek M.U.D.</i>				
Report Period:		03/01/2018 - 03/31/2018				
Maintenance The park areas, entrances, medians, and/or easements received regular maintenance (including weed control, litter control, mowing, string-trimming, tree trimming, and shrub pruning) on the following dates:						
3/2	3/9	3/16	3/23	3/29		
Task/Observation/Area	Highlights of services performed during regular maintenance					
Crews completed the standard maintenance tasks such as mowing & string-trimming of the District's irrigated turf areas, as well as having detailed the District's color beds and tree rings too. Crews also performed fertilization of these same areas throughout the District and picked up an excessive amount of Oak leaves from throughout the District's boundaries. Finally, crews performed our annual <i>Ladybug</i> release in these same areas located throughout the District's property.						
Greenbelt & Drainage Maintenance	Greenbelt & Drainage maintenance occurred during the week(s) of:				N/A	
Task/Observation/Area:	Additional services/observations pertaining to the greenbelts & channels					
None						
						
Irrigation System Maintenance	3/2	3/9	3/16	3/23	3/29	
Task/Observation/Area	Additional services/observations pertaining to the irrigation system					
A Licensed Irrigator performed a comprehensive irrigation system analysis and he made any repairs totaling less than the pre-approved \$300 maximum while he was still on District property.						
						
Notes / Miscellaneous						
Task/Observation/Area	Additional items of note					